

## Consulting Parties Correspondence

Number	Date	From:		TO:	Form	Contents
		Name	Representing			
1	28-May-13	Kathy Mecca	Niagara Gateway Columbus Park Association	NYSDOT	Letter	Request for Consulting Party Status
2	28-May-13	Carole D. Perla	Resident	NYSDOT	Letter	Request for Consulting Party Status
3	29-May-13	Kate Cody	Resident	NYSDOT	Letter	Request for Consulting Party Status
4	31-May-13	Tania Werbizky and Daniel Mackay	Preservation League of NYS	NYSDOT	Letter	Request for Consulting Party Status
5	1-Jun-13	Elizabeth A. Martina	Niagara Gateway Columbus Park Association and Prospect Hill Neighborhood Alliance	NYSDOT	Letter	Request for Consulting Party Status
6	4-Jun-13	Clinton Brown	Clinton Brown Company Architecture, PC	NYSDOT	Letter	Request for Consulting Party Status
7	3-Jun-13	Linda DeTine	Resident	NYSDOT	Email	Request for Consulting Party Status
8	11-Jun-13	M. Ricchiazzi	Change Buffalo PAC	NYSDOT	CP request Forms	Request for Consulting Party Status
9	11-Jun-13	Joyce DeChristina	Resident	NYSDOT	CP request Forms	Request for Consulting Party Status
10	11-Jun-13	Alan Oberst	Vision Niagara	NYSDOT	CP request Forms	Request for Consulting Party Status
11	11-Jun-13	Catherine Faust	Catherine Faust Architect	NYSDOT	CP request Forms	Request for Consulting Party Status

## Consulting Parties Correspondence

Number	Date	From:		TO:	Form	Contents
		Name	Representing			
12	11-Jun-13	T. Tielman	Campaign for Greater Buffalo History, Architecture and Culture	NYSDOT	CP request Forms	Request for Consulting Party Status
13	11-Jun-13	Daniel J. Culross	KCA & Allentown Association	NYSDOT	CP request Forms	Request for Consulting Party Status
14	12-Jun-13	Thomas Herrera-Mishler, Brian Dold, and Gary Mucci	Buffalo Olmsted Parks Conservance	NYSDOT	CP request Forms	Request for Consulting Party Status
15	21-Jun-13	Thomas W. Frank	Interested Party	NYSDOT	CP request Forms	Request for Consulting Party Status
16	24-Jun-13	Peter Joseph and Joanne Certo	Residents	NYSDOT	Letter	Request for Consulting Party Status
17	26-Jun-13	Jason Wilson	Perservation Buffalo Niagara	NYSDOT	email	Request for Consulting Party Status
18	11-Jul-13	Robert Davies	FHWA	Thomas W. Frank	Letter	Denial of Consulting Parties Status
18a	29-Jul-13	Daniel Hitt	NYSDOT	Consulting Parties	Letter	Transmittal of Preliminary Assessment of Effects ( <i>See Section 4 - Section 106 Agency Correspondence Item #22</i> )
19	5-Aug-13	Kathy Mecca	Niagara Gateway Columbus Park Association	NYSDOT, Region 5	email with letter attachment	Request for extension of Section 106 Comment Period

### Consulting Parties Correspondence

Number	Date	From:		TO:	Form	Contents
		Name	Representing			
20	6-Aug-13	Michael Herbold	Niagara Gateway Columbus Park Association and Niagara Hall Associates	NYSDOT	email	Request for extension of Section 106 Comment Period
21	15-Aug-13	Daniel Hitt	NYSDOT	Consulting Parties	--	Transmittal of July 30, 2013 Consulting Parties Meeting Transcript; no extension of 30 day comment period
22	18-Aug-13	Lynda Schneekloth	Sierra Club Niagara Group	NYSDOT	email	Request for July 30, 2013 Consulting Parties Meeting Transcript, not a recognized CP
23	26-Aug-13	Daniel Hitt	NYSDOT	Sierra Club Niagara Group	Letter	Transmittal of July 30, 2013 Consulting Parties Meeting transcript for information only
24	28-Aug-13	Linda DeTine	Resident	NYSDOT	email	Written Comments on Preliminary Assessment of Effects
25	29-Aug-13	James Messina and Andrew Goldstein	Fargo Estate Neighborhood Association on behalf of the Prospect Hill Neighborhood Alliance	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects
26	30-Aug-13	Thomas Herrera- Mishler	Buffalo Olmsted Parks Conservancy	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects

## Consulting Parties Correspondence

Number	Date	From:		TO:	Form	Contents
		Name	Representing			
27	30-Aug-13	Jason Wilson	Preservation Buffalo Niagara	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects
28	30-Aug-13	Kathy Mecca	Niagara Gateway Columbus Park Association	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects
29	30-Aug-13	Tania Werbizky	Preservation League of New York State	NYSDOT	email with letter attachment	Written Comments on Preliminary Assessment of Effects
30	8-Nov-13	Daniel Hitt	NYSDOT	Consulting Parties	Letter	Transmittal of No Adverse Effects Finding ( <i>See Section 4 - Section 106 Agency Correspondence Item #40</i> )



Mr. Craig Morzall, PE  
 Program Delivery Manager, Region 5  
 NYS Department of Transportation  
 100 Seneca Street  
 Buffalo, NY 14203

May 28, 2013

Re: Section 106 Consulting Party Request for the NY Gateway  
 Connection Improvement Project to the US Peace Bridge  
 Buffalo, New York

Dear Mr. Morzall

As President of the Niagara Gateway Columbus Parkway Association (Columbus Park Association) and member of the Prospect Hill Neighborhood Alliance, I am requesting approval to become a Consulting Party member for this proposed project.

I have been in contact with The National Trust for Historic Preservation and other parties for the proposed NY Gateway Connection Improvement Project to the US Peace Bridge Plaza. The Prospect Hill-Columbus Park historic district, a community named in 2008 as one of the most endangered locations in the United States by the National Trust for Historic Preservation and by the Preservation League of NYS in 2007, is fearful that the current the DOT project would have negative direct, indirect, and cumulative adverse effects on numerous historic properties and resources. This would include my current home along with many others living in and around Columbus Parkway.

The Columbus Park Association along with the Prospect Hill Neighborhood Alliance and neighborhood residents have worked tirelessly for almost 7 years with the National Trust, Preservation League of NYS and local preservationists to successfully challenge further encroachment upon our historic resources by expanding or enhancing operations at the Peace Bridge Plaza. Any and all construction that improves, enhances or expands the Peace Bridge footprint into the historic Prospect Hill- Columbus Park neighborhood is a perceived threat not only to our historic resources but to the environmental health of the community.

A key victory for local residents, preservationists and the National Trust came early in January, 2012 when the Federal Highway Administration announced they were withdrawing as lead agent from the 2007 PBA expansion plan for a new bridge and plaza. After spending \$25 million dollars the FHWA concluded the project lacked proper funding and was mired in controversy because of strong opposition from the community and other organizations; ... **"and other environmental impacts were at this time becoming increasingly paramount."**

<http://www.gpo.gov/fdsys/pkg/FR-2012-01-10/html/2012-296.htm>

In addition to preserving and protecting our historic integrity, the community faces serious environmental challenges because it is located downwind from the NYS Thruway, Peace Bridge plaza and bridge. Accordingly, The DOT project would only exacerbate not eliminate this impasse. Building new roadways and ramps along the lake and river to improve access to the US plaza is environmentally inconsistent with current recommendations from the EPA, and the national and international scientific community.

Residents who live along the Peace Bridge corridor can no longer be expected to endure this threat to their health. A stronger, healthier community requires a cross border infrastructure that undoes the disproportionate damages which have been inflicted upon our community, the public's health and unique resources that federal, and state government agencies and the Public Bridge Authority have steadfastly refused to acknowledge.

For the past 23 years residents have lived under a cloud of uncertainty because of the constant threat of a new bridge and expanded plaza. Today, with the support of local, regional, and national organizations we are positioned to reclaim our community to insure that our historic heritage remains protected and that our efforts to restore the health and quality of life in Prospect Hill are successful.

I look forward to the opportunity to discuss this further at the Section 106 meetings. Thank you for your consideration.

Sincerely,



Kathleen Mecca, President  
Niagara Gateway Columbus Park Association  
763 Columbus Parkway, Buffalo, New York 14213  
716.881.5309  
[krmecca@yahoo.com](mailto:krmecca@yahoo.com)

C: National Trust for Historic Preservation  
Tania Werbitzky, Preservation League of NYS  
Thomas Yots, Preservation Buffalo Niagara  
Tim Tielman, Campaign for Greater Buffalo History, Architecture and Culture  
Catherine Schweitzer, The Baird Foundation  
Honorable Mayor Bryon Brown  
City of Buffalo Common Council  
Mark Mitskovski, VP Niagara Gateway Columbus Park Association  
Prospect Hill Neighborhood Alliance  
West Side Community Collaborative  
Judith Enck, EPA Northeast Region  
Buffalo West Side Environmental Defense Fund  
Jamson Lwebuga Mukasa, M.D., Respiratory and Environmental Exposure Consultants  
Dr. Joseph Gardella, University at Buffalo  
Dr. William Scheider, University at Buffalo  
Dr. Clifford Cockerham, University of Tennessee  
Dr. John Spengler, Harvard School of Public Health  
The Partnership for the Public Good

Clean Air Coalition of Western New York

CAROLE D. PERLA  
630 COLUMBUS PKWY  
BUFFALO, NEW YORK 14213  
716-886-3374  
caroleperla@hotmail.com

Mr. Craig Morzall, PE  
Program Delivery Manager, Region 5  
NYS Department of Transportation  
100 Seneca Street  
Buffalo, NY 14203

May 28, 2013

Re: Section 106 Consulting Party Request for the NY Gateway  
Connection Improvement Project to the US Peace Bridge  
Buffalo, New York

Dear Mr. Morzall

I have been in contact with The National Trust for Historic Preservation and other parties for the proposed NY Gateway Connection Improvement Project to the US Peace Bridge Plaza. As you are aware, we are fearful that the current proposal would have negative direct, indirect, and cumulative adverse effects on numerous historic properties and resources. This would include my current home along with many others living in and around Columbus Parkway.

My home (ca. 1890) has been identified as NRHP Eligible ( Criterion C) in the proposal for the Prospect Hill Historic District sponsored by the FHWA, NYSDOT and the PBA. I have lived at 630 Columbus Parkway since 1972. My property was one of the properties constructed on the "Elmstone" / Lewis property.

My husband and I have lived in this house for 41 years. Our two children were born and raised in this house and neighborhood. My late husband, Carl A. Perla, Jr. was an elected official for over 20 years, representing the Niagara District (Columbus Park-Prospect Hill). We both have been active in many community organizations as political committeeman for many years and Zone Chairman, active on the Erie County Democratic Executive board, and elected New York State Committee member.

Carl dedicated his life work to the Niagara District and received a well deserved award rededicating Prospect Park to read " Carl A. Perla, Jr. Park / Prospect Park in his memory (Porter Avenue and Niagara Street) which is a federally registered Olmsted Park. My daughter Danielle, her wedding party, and I **walked** through Columbus Park, Carl A. Perla, Jr. Park / Prospect Park to our neighborhood Church, Holy Angels which is two blocks from our beloved home for her formal Wedding ceremony. The neighbors lined the streets of Porter Avenue as the bride paraded past them. The crowd applauded and cheered. That moment is burned in my memory forever. This is about living in a community that cares.

My late husband was also born in this neighborhood in 1935. I, along with many West Side residents, strongly oppose this project because of the critical impact and serious adverse effects it will have on a district that was placed on the 11 endangered listing by the National Trust for Historic Preservation in 2008 and the Seven to Save register of the Preservation League of NYS.

I previously participated for three years as a Consulting Party member during the last proposed plaza and bridge expansion when the Federal Highway Administration was the lead agent. As you know, The FHWA withdrew from that flawed project in January, 2012 after spending \$25 million dollars concluding the project lacked proper funding and was mired in controversy because of strong opposition from the community and other organizations, ... **"and other environmental impacts were at this time becoming increasingly paramount."**

<http://www.gpo.gov/fdsys/pkg/FR-2012-01-10/html/2012-296.htm>

Therefore, I am respectfully requesting to participate as a consulting party in the review process under Section 106 of the National Historic Preservation Act (NHPA).

Thank you for your consideration,

Sincerely,  
Carole D. Perla

Cc: National Trust for Historic Preservation  
Preservation League of NYS  
Preservation Buffalo Niagara  
Campaign for Greater Buffalo History and Architecture  
Niagara Gateway Columbus Park Association

KATE CODY  
654 COLUMBUS PKWY  
BUFFALO, NEW YORK 14213  
716-886-5371  
katecdy@yahoo.com

Mr. Craig Morzall, PE  
Program Delivery Manager, Region 5  
NYS Department of Transportation  
100 Seneca Street  
Buffalo, NY 14203

May 29, 2013

**Re: Section 106 Consulting Party Request for the NY Gateway Connection Improvement Project to the US Peace Bridge in Buffalo, New York**

Dear Mr. Morzall

I was a Consulting Party member for at least two years during the Draft Environmental Impact Study for the proposed Peace Bridge Expansion Project in Buffalo, New York, before the Federal Highway Authority (FHWA) issued a notice that it will **not** be preparing and issuing a Final Environmental Impact Statement for that same project in January 2012.

My husband and I have lived in this NRHP Eligible Prospect Hill Historic District at 654 Columbus Parkway for 21 years, where we have raised our three boys. We all live, work, and play here.

Recently, I have heard through my neighborhood colleagues about the proposed NY Gateway Connection Improvement Project to the US Peace Bridge Plaza. I am concerned that the current proposal could also have adverse effects on the many historic properties and resources of this neighborhood, which incidentally, was on the 2008 National Trust "11 Endangered" list as well as the NYS Preservation League's "Seven to Save" list.

I hope that you will honor my request to participate as a consulting party in the review process of this current NY Gateway Connection Improvement Project under Section 106 of the National Historic Preservation Act (NHPA). Thank you for your consideration.

Sincerely,  
Kate Cody

Cc: Niagara Gateway Columbus Park Association



44 CENTRAL AVENUE  
ALBANY, NY 12206-3002  
518-462-5658  
FAX 518-462-5684  
WWW.PRESERVENYS.ORG

2012-2013  
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May 31, 2013

Mr. Craig Morzall, PE  
Program Delivery Manager, Region 5  
NYS Department of Transportation  
100 Seneca Street  
Buffalo, NY 14203

**Re: Section 106 Consulting Party Request for the NY Gateway Connection Improvement Project to the US Peace Bridge, Buffalo, New York**

Dear Mr. Morzall:

The Preservation League of New York State requests Consulting Party status for the proposed New York Gateway Connection Improvement Project to the US Peace Bridge, Buffalo, New York. This formal request is pursuant according to section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended in 2000 & 2004.

The Preservation League is New York's statewide historic preservation not-for-profit. Founded in 1974, the League is dedicated to the protection of New York's diverse and rich legacy of historic buildings, districts and landscapes. We actively encourage historic preservation by public and private organizations, agencies, and individuals in local communities throughout New York State and provide a united voice for historic preservation.

In 2007, the Preservation League named the Prospect Hill-Columbus Park Historic District to our Seven to Save list of statewide endangered properties, followed by nomination to the National Trust for Historic Preservation to their America's 11 Most Endangered Historic Places in 2008. As NYS DOT records and media accounts clearly reveal, the League has since been an active advocate for the identification and protection of historic resources impacted by a series of proposals affecting the United States side of this crossing, and has been a Section 106 process participant in previous years regarding related projects and resources in the Prospect Hill - Columbus Park Historic District and adjoining neighborhood.

We request that you grant us consulting party status for the New York Gateway Connection Improvement Project to the US Peace Bridge and include both Tania Werbizky, Regional Director of Technical and Grant Programs, Western NY and Daniel Mackay, Director of Public Policy in subsequent communication regarding this Section 106 process.

Sincerely,

*Tania Werbizky*

Tania Werbizky  
PLNYS  
202 The Commons  
Suite 302  
Ithaca, NY 14850  
twerbizky@preservenys.org

*Daniel Mackay*

Daniel Mackay  
PLNYS  
44 Central Avenue  
Albany, NY 12206  
dmackay@preservenys.org

JUN 05 2013

RECEIVED R-5 DESIGN	
MOZRALL	
BILLITTIER	
SINGH	
DUENNEAU E	
MARRADINO	
VAIDYA	XL
LORENZ	ORIG
WERNID	
HOCH	
FILE	
MO (2)	XL

JUN 10 2013

CP #5

Re: Section 106 Consulting Party Request for the NY Gateway  
Connection Improvement Project to the US Peace Bridge  
Buffalo, New York

As a resident of Columbus Parkway and the Niagara Gateway Columbus Park Association) and member of the Prospect Hill Neighborhood Alliance, I am requesting approval to become a Consulting Party member for this proposed project.

The Columbus Park Association along with the Prospect Hill Neighborhood Alliance and neighborhood residents have worked tirelessly for almost 7 years with the National Trust, Preservation League of NYS and local preservationists to successfully challenge further encroachment upon our historic resources by expanding or enhancing operations at the Peace Bridge Plaza. Any and all construction that improves, enhances or expands the Peace Bridge footprint into the historic Prospect Hill- Columbus Park neighborhood is a perceived threat not only to our historic resources but to the environmental health of the community.

the 1990s, the number of people in the world who are under 15 years of age is expected to increase by 1.5 billion, from 1.1 billion in 1990 to 2.6 billion in 2010. The number of people aged 65 and over is expected to increase by 1.1 billion, from 350 million in 1990 to 1.4 billion in 2010. The number of people aged 15-64 is expected to increase by 1.5 billion, from 2.5 billion in 1990 to 4.0 billion in 2010. The number of people aged 65 and over is expected to increase by 1.1 billion, from 350 million in 1990 to 1.4 billion in 2010. The number of people aged 15-64 is expected to increase by 1.5 billion, from 2.5 billion in 1990 to 4.0 billion in 2010.

JUN 10 2013 (105)

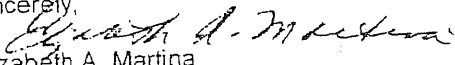
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Residents who live along the Peace Bridge corridor can no longer be expected to endure this threat to their health. A stronger, healthier community requires a cross border infrastructure that undoes the disproportionate damages which have been inflicted upon our community, the public's health and unique resources that federal, and state government agencies and the Public Bridge Authority have steadfastly refused to acknowledge.

For the past 23 years residents have lived under a cloud of uncertainty because of the constant threat of a new bridge and expanded plaza. Today, with the support of local, regional, and national organizations we are positioned to reclaim our community to insure that our historic heritage remains protected and that our efforts to restore the health and quality of life in Prospect Hill are successful.

I look forward to the opportunity to discuss this further at the Section 106 meetings. Thank you for your consideration.

Sincerely,

  
Elizabeth A. Martina  
774 Columbus Parkway  
Buffalo, NY 14213  
716-812-4113  
elizmartina@yahoo.com

C: National Trust for Historic Preservation  
Tania Werbitzky, Preservation League of NYS  
Thomas Yots, Preservation Buffalo Niagara  
Tim Tielman, Campaign for Greater Buffalo History, Architecture and Culture  
Catherine Schweitzer, The Baird Foundation  
Honorable Mayor Bryon Brown  
City of Buffalo Common Council  
Mark Mitskovski, VP Niagara Gateway Columbus Park Association  
Prospect Hill Neighborhood Alliance  
West Side Community Collaborative  
Judith Enck, EPA Northeast Region  
Buffalo West Side Environmental Defense Fund  
Jamson Lwebuga Mukasa, M.D., Respiratory and Environmental Exposure Consultants  
Dr. Joseph Gardella, University at Buffalo  
Dr. William Scheider, University at Buffalo  
Dr. Clifford Cockerham, University of Tennessee  
Dr. John Spengler, Harvard School of Public Health  
The Partnership for the Public Good  
Clean Air Coalition of Western New York



## Clinton Brown Company Architecture, pc

*Historic Places Renewed: The Full Service Historic Preservation Architecture Firm (sm)*

June 4, 2013

Mr. Craig Mozrall, PE  
 Program Delivery Manager, Region 5  
 New York State Department of Transportation  
 100 Seneca Street  
 Buffalo, New York 14203  
[craig.mozrall@dot.ny.gov](mailto:craig.mozrall@dot.ny.gov)

RE: SECTION 106 CONSULTATION PROCESS FOR THE NY GATEWAY CONNECTIONS  
 IMPROVEMENT PROJECT TO THE US PEACE BRIDGE PLAZA

Dear Mr. Mozrall:

I wish to be included in the consultation process for this improvement project because I am interested in the project and its potential effects on historic properties. My background related to this project includes:

- Clinton Brown Company is the region's leading historic preservation architectural services firm. We specialize in identifying, officially recognizing and protecting, largely through adaptive use and historic rehabilitation, historic buildings and places
- Co-founder of, active involvement in the SuperSpan Upper Niagara group of bi-national business leaders who advocated for a signature bridge and for an efficient bridge system
- Appointment by two successive Secretaries of the Interior to the Erie Canalway National Heritage Corridor Commission. The Peace Bridge lies within that heritage corridor
- Designation by the Governor to the Board of The Richardson Center Corporation that is overseeing the rehabilitation of the Richardson and Olmsted-designed former Buffalo Psychiatric Center
- Vice President of the Board of Directors the Willowbank School of Restoration Arts and Cultural Landscape Centre located in Queenston, Ontario.

My current mailing address is below and my e-mail address is  
[clintonbrown@clintonbrowncompany.com](mailto:clintonbrown@clintonbrowncompany.com).

Please contact me any time with any questions or comments.

Best Wishes, —

Clinton Brown, FAIA, President

*We collaboratively design the revitalization of heritage buildings and communities*

The Market Arcade, 617 Main Street, Suite M303. Buffalo, NY 14203-1400 Tel 716-852-2020 Fax 716-852-3132  
 Niagara Falls, NY [www.clintonbrowncompany.com](http://www.clintonbrowncompany.com) Lockport, NY

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**From:** Linda DeTine [<mailto:lindadetine@hotmail.com>]  
**Sent:** Monday, June 03, 2013 10:39 PM  
**To:** Mozrall, Craig (DOT)  
**Subject:** Request for Consulting Party status

Re: Section 106 Consulting Party Request for the NY Gateway  
Connection Improvement Project to the US Peace Bridge  
Buffalo, New York

Dear Mr. Morzall:

Please accept this email as my request to be appointed a Section 106 consulting party for the above project.

My home is on Columbus Parkway in the Front Park neighborhood. Already found to be National register eligible by SHPO during past environmental reviews, it was built in 1880 by Brigadier General Edgar B. Jewett at a time when the neighborhood was considered to be, in no small part due to the development of Front Park, one of the most beautiful neighborhoods in Buffalo. The historic homes on the surrounding streets and The Front go hand in hand to create one historic neighborhood. Therefore, whatever changes are made to The Front and the surrounding roadways impact the character of our historic neighborhood.

Also, I have for some time been active as a neighborhood representative to the Buffalo Olmstead Parks Conservancy. It is of course vital to hear actual citizen voices regarding anything that happens at The Front. I believe the Conservancy has already been consulted on this project, but I do not believe the Conservancy has any members living in the neighborhood of The Front.

As a neighborhood resident, I also use The Front on virtually a daily basis. Certainly, the viewpoints of Front Park users must be included in your considerations.

There are many questions that neighborhood residents would like answered before this project is approved. For just one example, I do not think there are any elevations on the Peace Bridge website showing the impact of the proposed ramping on the existing viewsheds. As another example, I would like to see how the proposed round about will effect the development D'Youville College is planning at that same intersection on Porter Avenue. And we also need to see how children in the neighborhood and students from the nearby grammar school, School 3, will cross over to the Park according to this new plan.

Thank you very much for your consideration.

Linda J. DeTine  
676 Columbus Parkway  
Buffalo, New York 14213  
716-510-8453



NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Section 106 of the National Historic Preservation Act Consulting Party Application

CP #8

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

Matthew Ricchiazzi  
Contact Name (Print)

Charge Buffalo PAC  
Organization / Agency

455 Franklin Street - Apt 3  
Address

Buffalo  
City

NY  
State

14202  
Zip Code

716-548-3371  
Phone No.

Fax No.

matthew.ricchiazzi@chargebuffalo.org  
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

- Undergraduate degree in Urban Planning
- Grew up on Conn. Street 3 blocks from Bridge
- Resident

[Signature]  
Signature

6/11/2013  
Date

Please mail, fax, or email your forms by June 25, 2013 to:

**Mail:** NY Gateway Connections Project  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203

**Email:** [NYGATEWAY@DOT.NY.GOV](mailto:NYGATEWAY@DOT.NY.GOV)

**Fax:** 716-847-3055



U.S. Department of Transportation  
Federal Highway Administration



New York State  
Department of Transportation



**NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Section 106 of the National Historic Preservation Act Consulting Party Application**

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

Joyce DiChristina  
Contact Name (Print) \_\_\_\_\_ Organization / Agency \_\_\_\_\_

695 Columbus Pkwy  
Address \_\_\_\_\_

Buff \_\_\_\_\_ ny \_\_\_\_\_ 14213  
City State Zip Code

716-860-8120 \_\_\_\_\_  
Phone No. Fax No.

JDiCh@juno.com  
Email Address \_\_\_\_\_

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

Homeowner in Historic District  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Joyce DiChristina \_\_\_\_\_ 6/11/13  
Signature Date

Please mail, fax, or email your forms by June 25, 2013 to:

**Mail:** NY Gateway Connections Project  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203

**Email:** [NYGATEWAY@DOT.NY.GOV](mailto:NYGATEWAY@DOT.NY.GOV)

**Fax:** 716-847-3055



U.S. Department of Transportation  
Federal Highway Administration



New York State  
Department of Transportation



**NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Section 106 of the National Historic Preservation Act Consulting Party Application**

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

ALAN OBERST  
Contact Name (Print)

VISION NIAGARA  
Organization / Agency

189 14TH ST.  
Address

BUFFALO NY 14213  
City State Zip Code

\_\_\_\_\_  
Phone No. Fax No.

AKO\_NSOG@HOTMAIL.COM  
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

I AM INVOLVED WITH A COMMUNITY DEVELOPMENT PROJECT WORKING TO REVITALIZE THE PORTION OF NIAGARA STREET IMMEDIATELY NORTH OF THIS PROJECT SITE. THE PROJECT IS CALLED VISION NIAGARA. TO DATE, I HAVE CONDUCTED MOST OF THE HISTORICAL RESEARCH FOR THE GROUP, AND AM MOST FAMILIAR (OF ANYONE INVOLVED WITH VISION NIAGARA) WITH THE HISTORIC RESOURCES IN THIS AREA. I WOULD REPRESENT THE GROUP, ALSO, IN THE 1990'S I CHAIRED THE PLANNING COMMITTEE FOR A \$2.5M TRANSPORTATION ENHANCEMENTS PROJECT THAT PRESERVED HISTORIC TRANSPORTATION INFRASTRUCTURE, SO AM FAMILIAR WITH PRESERVATION STANDARDS AND REQUIREMENTS.

[Signature] 6/11/2013  
Signature Date

Please mail, fax, or email your forms by June 25, 2013 to:

**Mail:** NY Gateway Connections Project  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203

**Email:** [NYGATEWAY@DOT.NY.GOV](mailto:NYGATEWAY@DOT.NY.GOV)

**Fax:** 716-847-3055



U.S. Department of Transportation  
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New York State  
Department of Transportation



**NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Section 106 of the National Historic Preservation Act Consulting Party Application**

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

CATHERINE FAUST.  
Contact Name (Print)

CATHERINE FAUST, ARCHITECT.  
Organization / Agency

141 HIGHLAND AVE  
Address

BUFFALO  
City

N.Y.  
State

14222  
Zip Code

886-6809  
Phone No.

Fax No.

CATHERINE@VERIZON.NET  
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

- I am a local Architect / CEO of Catherine Faust Assoc.  
- member of Buffalo District Park & Recreation Assoc.

[Signature]  
Signature

6/11/13  
Date

Please mail, fax, or email your forms by June 25, 2013 to:

**Mail:** NY Gateway Connections Project  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203  
**Email:** NYGATEWAY@DOT.NY.GOV  
**Fax:** 716-847-3055



U.S. Department of Transportation  
Federal Highway Administration



New York State  
Department of Transportation



NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

TIM TIELMAN  
Contact Name (Print)

CAMPAIN FOR GREATER BUFFALO HISTORY, ARCHITECTURE + CULTURE  
Organization / Agency

14 LAFAYETTE SQ, SUITE 1425  
Address

BLW NY 14203  
City State Zip Code

716 854-3749  
Phone No.

FRONTDESK@C46B.ORG  
Email Address

Please indicate if you are an individual or representing the interests of an organization.

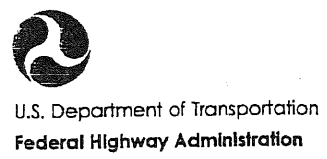
Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

WE ARE A LARGE HISTORIC PRESERVATION ORGANIZATION + HAVE MEMBERS IN THE PROJECT AREA + WIDER COMMUNITY

[Signature] 6/11/13  
Signature Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203  
Email: [NYGATEWAY@DOT.NY.GOV](mailto:NYGATEWAY@DOT.NY.GOV)  
Fax: 716-847-3055





NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

DANIEL CULROSS

Contact Name (Print)

KCA & ALLENTOWN ASSOC.

Organization / Agency

3 SAINT JOHNS PLACE

Address

BUFFALO

City

N.Y.

State

14201

Zip Code

716.888.0733

Phone No.

716-888-1779

Fax No.


djculross@excite.com

Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

I AM INTERESTED IN REPRESENTING LOCAL, NON-PROFIT ORGANIZATIONS WHOSE INTERESTS INCLUDE HISTORIC PRESERVATION & NEIGHBORHOOD QUALITY OF LIFE ISSUES. I LIVE IN THE IMMEDIATE VICINITY AND USE THE BRIDGE AND STREETS IN THIS PROJECT ON A REGULAR BASIS.



Signature

06/18/13

Date

Please mail, fax, or email your forms by June 25, 2013 to:

**Mail:** NY Gateway Connections Project  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203

**Email:** NYGATEWAY@DOT.NY.GOV

**Fax:** 716-847-3055



U.S. Department of Transportation  
Federal Highway Administration



New York State  
Department of Transportation



NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

BRIAN DOLD (PRIMARY), GARY MULLI,  
THOMAS HERRERA-MISHLER

BUFFALO DISTRICT PARKS CONSERVANCY  
Organization / Agency

Contact Name (Print)

84 PARKSIDE AVE

Address

BUFFALO

City

NY

State

14201

Zip Code

716-280-8118

Phone No.

716-935-1300

Fax No.

BRIAN@BFLOPARKS.ORG, GMULLI@HBLAW.COM, THMISHLER@BFLOPARKS.ORG  
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

BRIAN DOLD, GARY MULLI, AND THOMAS HERRERA-MISHLER  
ARE REPRESENTATIVES OF THE BUFFALO DISTRICT PARKS  
CONSERVANCY. OUR INTERESTS RELATE TO THE DIRECT AND  
INDIRECT IMPACTS OF THIS PROJECT ON FRONT PARK, PORTER  
AVE AND THE BUFFALO DISTRICT PARKS SYSTEM AS A WHOLE AS  
NEIGHBORHOOD, CITY WIDE AND REGIONAL ASSET.

Signature

6/12/13  
Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project.  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203  
Email: NYGATEWAY@DOT.NY.GOV  
Fax: 716-847-3055



U.S. Department of Transportation  
Federal Highway Administration



New York State  
Department of Transportation



NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Section 106 of the National Historic Preservation Act Consulting Party Application

I would like to participate as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

Thomas W. Frank  
Contact Name (Print)

River Greenway  
Niagara National Heritage Area  
Organization / Agency

225 Evans Street Apt. A1  
Address

Williamsville New York 14221  
City State Zip Code

716-634-3690   
Phone No. Fax No.

twfrankeinstein@gmail.com  
Email Address

Please indicate if you are an individual or representing the interests of an organization.

Please briefly describe why you are interested in participating as a Section 106 Consulting Party for the NY Gateway Connections Improvement Project to the US Peace Bridge Plaza:

I am an individual who has been personally engaged in Niagara  
Region Congressional legislation (NYPA Project No. 2216-081)  
processes pertaining to and associated with National Historic  
Preservation. Attached are 6 pages of support documentation.

Thomas W. Frank 21 June 2013  
Signature Date

Please mail, fax, or email your forms by June 25, 2013 to:

Mail: NY Gateway Connections Project  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203  
Email: NYGATEWAY@DOT.NY.GOV  
Fax: 716-847-3055

JUN 25 2013	
REGIONAL DIRECTOR	
AD ASSISTANT TO DIRECTOR	
CLERK	
PUBLIC INQUIRY	
SAFETY & HEALTH	
SECRETARY	
TO CONSTRUCTION	
CRISIS	
REAL ESTATE	
OR OPERATIONS	
PLANNING	
TRAVEL & PROGRAMS	
USE & DEVELOPMENT	
HR INFORMATION SYSTEMS	



U.S. Department of Transportation  
Federal Highway Administration



New York State  
Department of Transportation



Preserving America's Heritage

November 8, 2011

Mr. Thomas W. Frank  
Binational Niagara Bicentennial Project  
225 Evans Street, Apartment 1  
Williamsville, NY 14221

*Ref: Programmatic Agreement for U.S. Customs and Border Protection Activities Along the Northern Border of the United States*

Dear Mr. Frank:

It is my understanding that during the National Preservation Conference in Buffalo, New York, you discussed with staff members of the Advisory Council on Historic Preservation (ACHP), the U.S. Customs and Border Protection's (CBP) compliance process for activities along the Northern Border of the United States. The ACHP is currently participating in the consultation for the activities along the Northern Border in accordance with Section 106 the National Historic Preservation Act. We are aware that the CBP is concurrently meeting requirements under the National Environmental Policy Act, but the ACHP is not involved in that process.

If you have any comments regarding the Section 106 consultation process for this undertaking we advise you to contact CBP directly, as they are the lead federal agency. Please send any comments you have to:

Ms. Jennifer Hass  
Environmental Planning Branch Chief  
Office of Administration  
1331 Pennsylvania Avenue NW  
Suite 1220  
Washington, DC 20029

If you have any general questions regarding the Section 106 process, please contact Ms. Katharine R. Kerr, of my staff, at (202) 606-8534 or at [kkerr@achp.gov](mailto:kkerr@achp.gov).

Sincerely,

Caroline D. Hall  
Assistant Director  
Office of Federal Agency Programs  
Federal Property Management Section

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004  
Phone: 202-606-8500 • Fax: 202-606-8547 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

**AECOM****Project Information**

What We Do: Transportation

Location: Wellington, New Zealand

Status: Ongoing

**Wellington Real Time Passenger Information System**

The Wellington Real Time Passenger Information System will track more than 500 buses and 50 trains, and provide information at stops, on the Internet and via Short Message Service (SMS), a communication service standardized in the GSM mobile communication system. AECOM provided services in the delivery and identification of user requirements, communication options and technical specifications for the system.

On 10th April 2001, Greater Wellington Regional Council, AECOM met with Council and other stakeholders, including public transport operators, user groups, local councils, and the funding authority, to develop the project during the procurement phase. Through one-to-one discussions and group workshops this has included:

- Refinement of project scope and objectives
- Identification of options to deliver best value
- Identification and definition of user requirements
- Development of detailed technical specification
- Ledgment of funding application
- Assistance with production of procurement documentation

AECOM's professionals were able to offer significant value to Council by applying our global skills and experience, our ability to specify, procure and deliver Real Time Passenger Information projects around the world. Expertise was provided by the Australian, UK and New Zealand offices of AECOM. The system will provide benefits that will improve accessibility and increase patronage across the bus and train networks in the region.

The project has successfully completed the tender phase and procurement and construction will be provided over the next year. AECOM provided assistance for the tender evaluation phase and will be providing delivery support for the implementation.

*GBURTC - ICC - NFTA at  
Alternative Analysis Contract*

*Thomas Brock Project Manager*

*1st Manager National Transportation Heritage Board  
thubrock@nhtb.org.nz*

1300 Pennsylvania Avenue NW  
Washington, DC 20129



U.S. Customs and  
Border Protection

Mr. Thomas W. Frank  
Binational Niagara Bicentennial Project  
225 Elyms Street, Apt. 1  
Williamsville, NY 14221

SEP 14 2011

Dear Mr. Frank:

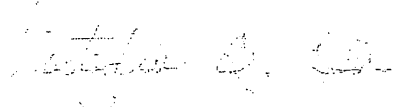
Pursuant to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA), and the Department of Homeland Security Management Directive 023-01, *Environmental Planning Program*, U.S. Customs and Border Protection (CBP) is preparing a Programmatic Environmental Impact Statement (PEIS) analyzing the potential environmental and socioeconomic effects associated with its security activities along the border between the United States and Canada.

As you requested, we are enclosing a copy of the Draft PEIS, on a CD-ROM. The enclosed Draft PEIS is undergoing a 45-calendar day comment period, starting with the publication of Notices of Availability on September 16, 2011 and ending on October 31, 2011. During this time, CBP will hold a series of public meetings at locations along the Northern Border to provide information about the PEIS and solicit comments. Comments may be submitted via email, post, and online. CBP will also post updates on the PEIS effort, including meeting dates and times, to the project's website at [www.NorthernBorderPEIS.com](http://www.NorthernBorderPEIS.com).


Additionally, CBP is developing a Programmatic Agreement (PA) for operations along the Northern Border to identify actions that are agreed to result in no historic properties affected or would not be considered undertakings that require consultation under Section 106 of the National Historic Preservation Act and its implementing regulations, (36 CFR Part 800). While the PA is being pursued as an independent action from the PEIS, it will be applied to future activities occurring within the Northern Border study area and therefore is relevant to the Northern Border PEIS.

Thank you for your comments and interest in CBP's Northern Border PEIS.

Sincerely,

  
Christopher S. Oh  
Acting Director  
Environmental and Energy Division

Enclosures

CBP Northern Border PEIS		
For information visit: <a href="http://www.NorthernBorderPEIS.com">www.NorthernBorderPEIS.com</a>		
Or to submit comments:		
E-MAIL	MAIL	CALL
comments@ <a href="http://NorthernBorderPEIS.com">NorthernBorderPEIS.com</a>	CBP Northern Border PEIS P.O. Box 3625 McLean, VA 22102	866-760-1421
		U.S. Customs and Border Protection



U.S. Customs and  
Border Protection

July 23, 2012

Mr. Thomas W. Frank  
Binational Niagara Bicentennial Project  
225 Eyns Street, Apt. 1  
Williamsville, NY 14221

Dear Mr. Frank:

Pursuant to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA), and the Department of Homeland Security Management Directive 023-01, *Environmental Planning Program*, U.S. Customs and Border Protection (CBP) has prepared a Final Programmatic Environmental Impact Statement (PEIS) for Northern Border Activities. The PEIS analyzes potential environmental and socioeconomic effects associated with CBP activities along the border between the United States and Canada. A copy of the Final PEIS on a CD-ROM and a hardcopy of the accompanying Draft Record of Decision (ROD) documenting CBP's decision about its intended direction for potential future activities along the northern border are enclosures to this package as you requested.

The Final PEIS and Draft ROD are undergoing a 30-day waiting period, starting with the publication of their Notice of Availability in the Federal Register on July 27, 2012. The Final PEIS and Draft ROD are also available on the project's website at <http://www.cbp.gov/xp/cgov/about/sr/>. CBP can be contacted at [cbpenvironmentalprogram@cbp.dhs.gov](mailto:cbpenvironmentalprogram@cbp.dhs.gov), by calling 202-325-4191, or by mail at:

Jennifer DeHart Hass  
Environmental and Energy Division  
U.S. Customs and Border Protection  
1331 Pennsylvania Ave. NW Suite 1220N  
Washington, DC 20229

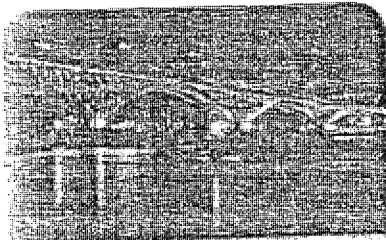
In addition to this PEIS, CBP will assess impacts to historic property in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations. CBP may elect to execute a Programmatic Agreement in accordance with 36 CFR 800.14(b) that would apply to activities covered in the PEIS. Thank you for your interest in CBP's Northern Border PEIS.

Sincerely,

Jennifer DeHart Hass  
Director  
Environmental and Energy Division

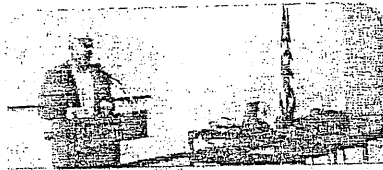
Enclosures

# Transportation Options



## Embracing Bi-National Opportunities

The Partnership teamed up with Buffalo Niagara Enterprise and Phillips Lytle LLP to hold the first "Canadian Connections" in Beamsville, Ontario. The event connected Canadian employers looking to create a presence in Buffalo Niagara with employers already doing business in the region for sharing of best practices. A CanAm Council was established to bring together Partnership investors with expertise in CanAm trade and address opportunities for growth across our bi-national region.



## Joining Erie County to Call for an Improved Workforce Development System

Partnership President & CEO Andrew Rudnick joined County Executive Mark Poloncarz for Erie County's Workforce Development Summit to call on regional workforce development agencies to better meet the changing needs of Buffalo Niagara employers and address skill gaps between our region's workforce and market demands. With significant investment and progress being made in regional target industries, it is imperative that Buffalo Niagara has the human capital necessary to facilitate growth.

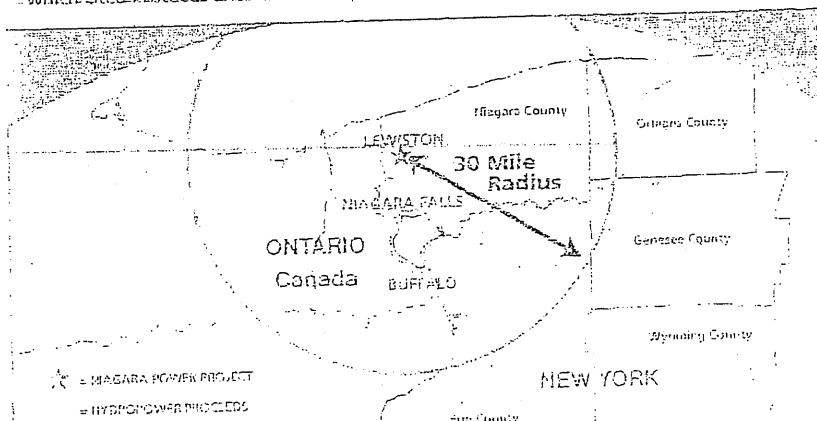
APRIL

MAY

## Partnership Recognizes Proceeds Volunteers

The Partnership recognized the nearly decade-long work of volunteers, paid consultants and staff that led to the inclusion of Hydropower Proceeds Legislation in the 2012-2013 State Budget. The newly-passed Proceeds law will annually generate \$7 million in cash to fund regional economic development projects within a 30-mile radius of the Niagara Power Project, and starts with a cash balance of \$15 million. These funds were previously spread across New York State for various NYPA-chosen projects.

The importance and success of the longstanding Proceeds initiative was recognized by the Partnership's national trade organization, the American Council of Chamber Executives, which cited Proceeds as one of the top three regionally important initiatives in 2012.



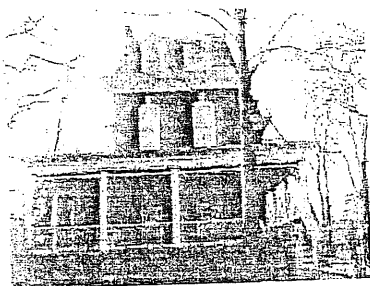
## BUFFALO BUILDING REUSE PROJECT

Buffalo Building Reuse Project is a partnership between the Buffalo Niagara Enterprise and the Buffalo Niagara Community Foundation. The project is designed to create a new, modern, and sustainable workspace for the Buffalo Niagara Enterprise. The project is currently in the planning phase and is expected to be completed by the end of the year.

## CROSS-BORDER RELATIONSHIPS TO STRENGTHEN THE BI-NATIONAL ECONOMY

Collaboration with the Buffalo Niagara Enterprise and the Buffalo Niagara Community Foundation is key to the success of the Buffalo Building Reuse Project. The project is designed to create a new, modern, and sustainable workspace for the Buffalo Niagara Enterprise. The project is currently in the planning phase and is expected to be completed by the end of the year.

The project is designed to create a new, modern, and sustainable workspace for the Buffalo Niagara Enterprise. The project is currently in the planning phase and is expected to be completed by the end of the year.



Study and Report

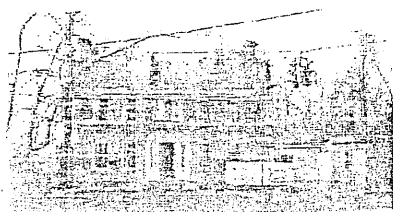
#### Peace Bridge Project Buffalo & Fort Erie Bridge Authority, Buffalo, NY

Draft and final Environmental Impact Statements (EIS) for construction of a new international bridge connecting Buffalo, New York, Fort Erie, Ontario, and Canada. Participated as part of a multi-national team to prepare a joint report meeting the requirements of both nations.

Foit-Albert Associates was responsible for assessing impacts of bridge terminus on historic residential neighborhood (including the potential demolition of up to 300 historic homes) and the Fredrick Law Olmsted Front Park. Includes an inventory of all properties and intensive-level research on individual owners and architects to determine National Register eligibility of each of the 300 structures.

Work also included documentation and research of the Peace Bridge development itself, including all structures on the U.S. toll plaza (administration buildings, salt barns, customs, Duty-Free, etc.). Historical development was analyzed to determine factors which may influence the design of future structures on site.

Foit-Albert

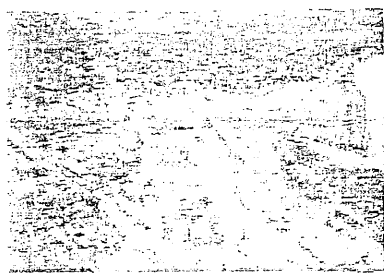


Survey and Report

#### Williamsville Toll Barrier Project Williamsville NY

Environmental Impact Statements (EIS) for construction of a new toll barrier location on the New York State Thruway to replace the existing Williamsville Toll Barrier. Project studied areas of impact of three distinct toll barrier locations, including impacts associated with cross-bridge modifications necessary to accommodate enlarged rights of way.

Foit-Albert Associates was responsible for assessing impacts on above ground resources on properties adjacent to the Thruway. Rural, subdivided and often undocumented, the project included walking site to determine existence of all structures or former structures across significant acreage. Project undertaken in conjunction with Ecology and Environment as a separate subconsultant to coordinate potential sites of potential archeological remains. Includes an inventory of all properties and research on individual owners and architects to determine National Register eligibility of each of over 100 sites, most with multiple structures.



Interior & Exterior Surveys  
Review Historic Photos  
Schematic Design of Facades  
Structural Improvements  
Construction Administration

#### Main Street Program Round 1 Lumber City Development Corp., North Tonawanda, NY

In 2006, the Lumber City Development Corporation (LCDC) received a grant through the NYS Division of Housing and Community Renewal's Main Street New York Program. The LCDC built the grant application around redevelopment of the North Tonawanda downtown areas of Webster Street, Main Street and Sweeney Street. The grant award included funding for streetscape and signage improvements, specifically wayfinding signs for the many downtown and local establishments; funding for matching facade grants to property owners; and funding for matching building renovation grants for property owners making improvements to, or adding, residential units to downtown buildings.

The City of North Tonawanda is moving forward with a new vision for the community. The Main Street Program Round 1 is a continuing step in a long and dynamic process of revitalization.

Each building detailed in the report relates to the larger concern of the creation of a historic district in North Tonawanda. Each building

## ...BETTER THAN EVER!

Recognized as one of the safest superhighways in the country, the 641-mile New York State Thruway system provides superior roadway maintenance and convenient services that make the Thruway the preferred route in the Empire State for millions of travelers every year.

These facilities offer a variety of popular restaurants with the familiar fast service you look for and high quality you deserve when you're away from home. The Authority has also provided numerous other services such as prepaid phone card machines, ATMs and TDDs at most locations.

Your comments about these facilities and services are welcomed. Please write:

New York State Thruway  
Authority

Director of Travelers' Services  
P.O. Box 189  
Albany, NY 12201-0189



Making getting there on  
the Thruway better than ever!

TAP-015 (05/2000)

## Safe Driving Tips

- ✓ Buckle up – It's the Law
- ✓ Use Caution in Work Zones
- ✓ Don't Tailgate
- ✓ Keep to the Right
- ✓ Signal Your Intentions
- ✓ Don't Drive When Drowsy
- ✓ Take Frequent Safety Breaks



Road Conditions Report  
1-800-THRUWAY (847-8929)

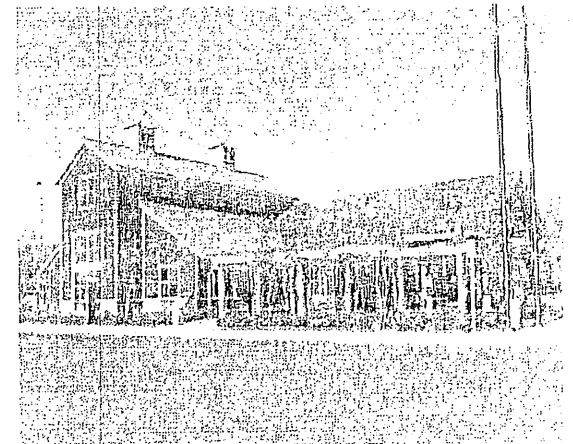
Thruway Emergencies  
1-800-842-2233

Thruway's TDD/TTY  
1-800-253-6244

New York State Thruway Authority

## Travel Plaza

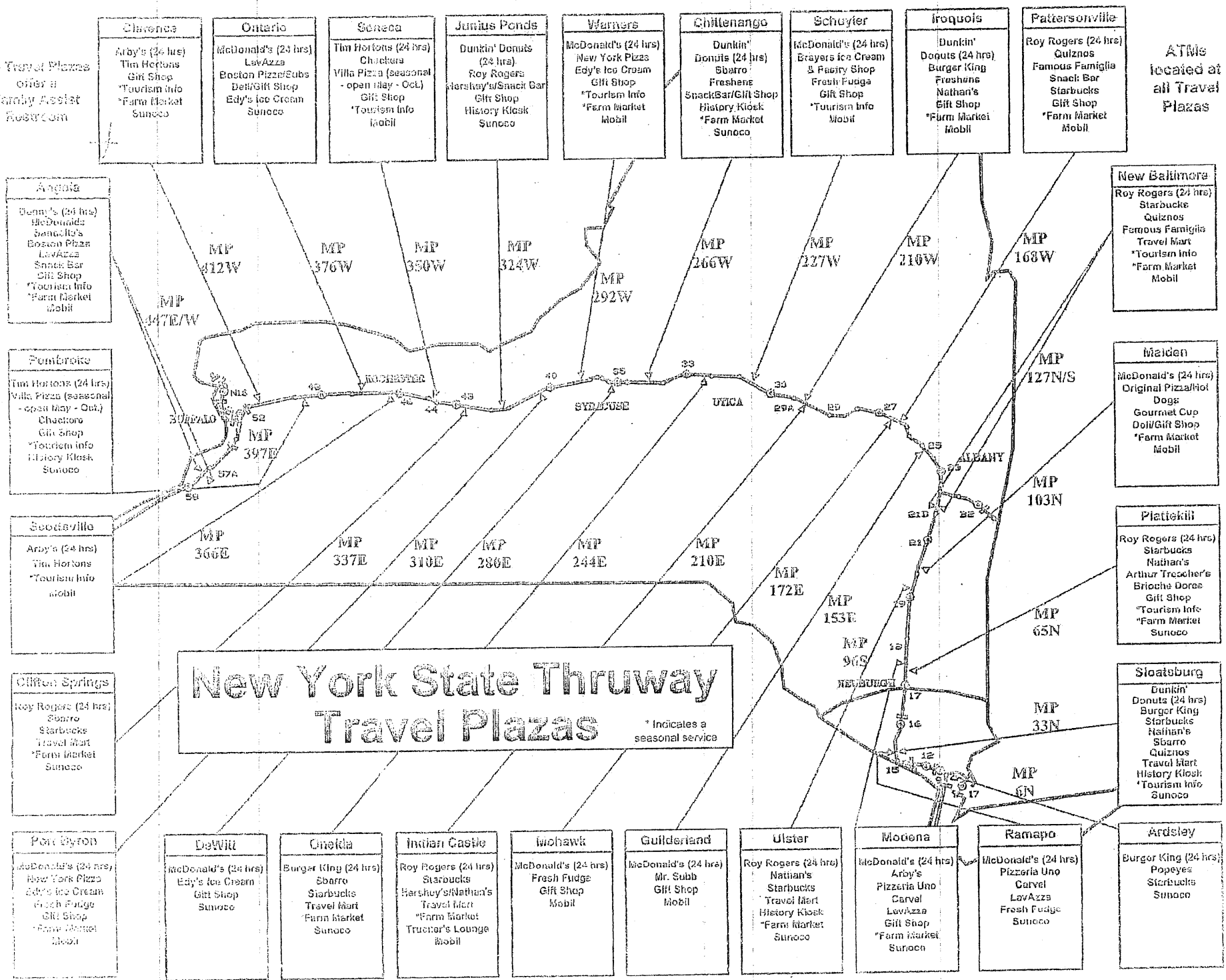
Directory



Making Getting There....

All Travel Plazas  
offer a  
Family Assist  
Restroom

ATMs  
located at  
all Travel  
Plazas



Peter Joseph & Joanne Certo  
776 Columbus Pkwy.  
Buffalo, NY 14213-2412  
peterjoe@certobrothers.com  
716-609-4099

June 24, 2013

NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
New York State Department of Transportation—Design Office  
100 Seneca Street  
Buffalo, New York 14203

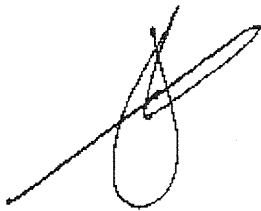
RE: NY GATEWAY CONNECTIONS IMPROVEMENT PROJECT/CONSULTING PARTY STATUS

To Whom It May Concern:

Please accept this as our formal request for inclusion as consulting parties on the above captioned project. We think that, as neighborhood residents with property abutting that of the Public Bridge Authority, we are not only qualified to consult but also have vested interest in the outcome of this project.

Thank you for your attention, understanding, and cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'Peter Joseph Certo', written over a horizontal line.

Peter Joseph Certo  
Joanne Certo

**From:** [jwilson.pbn@gmail.com](mailto:jwilson.pbn@gmail.com) [<mailto:jwilson.pbn@gmail.com>] **On Behalf Of** Jason Wilson - PBN  
**Sent:** Wednesday, June 26, 2013 12:00 AM  
**To:** Mozrall, Craig (DOT); dot.sm.nygateway  
**Cc:** Tom Yots  
**Subject:** Request for Consulting party status for Section 106

Dear Mr. Mozrall,

I am requesting approval on behalf of Preservation Buffalo Niagara to become a Section 106 Consulting Party member for the proposed NY Gateway Connections Improvement Project to the U.S. Peace Bridge plaza.

As Western New York's leading historic preservation not-for-profit, Preservation Buffalo Niagara has a direct interest in the proposed improvements taking place adjacent to Front Park, a national register listed historic resource, and the Prospect Hill neighborhood, a historically significant community containing several National Register listed as well as National Register eligible resources. For the past 5 years Preservation Buffalo Niagara has been working with the Preservation League of New York State, the New York State Historic Preservation Office, the National Trust for Historic Preservation as well as the Niagara Gateway Columbus Park Association to ensure that any improvements to the neighborhood are done in a sensitive manner. We would like to have further input in this process.

Thank you for your consideration.

Sincerely,  
Jason Wilson - Director of Operations  
Preservation Buffalo Niagara  
617 Main Street,  
Buffalo, New York 14203  
716.852.3300 - Office  
716.852.5340 - Fax  
[Jwilson.PBN@gmail.com](mailto:Jwilson.PBN@gmail.com)  
[www.PreservationBuffaloNiagara.org](http://www.PreservationBuffaloNiagara.org)



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

New York Division

July 11, 2013

Leo W. O'Brien Federal Building  
11A Clinton Avenue, Suite 719  
Albany, NY 12207  
518-431-4127  
Fax 518-431-4121  
NewYork.FHWA@dot.gov

In Reply Refer To:  
HED-NY

Mr. Thomas W. Frank  
225 Evans Street, Apt. A1  
Williamsville, New York 14221

Dear Mr. Frank,

The Federal Highway Administration (FHWA) in cooperation with New York State Department of Transportation (NYSDOT) would like to thank you for your interest in the NY Gateway Connection Improvements to the US Peace Bridge Plaza project and the Section 106 process.

The NY Gateway Connection Improvements to the US Peace Bridge Plaza project is not associated with the New York Power Authority (NYPA) project #2216-081, nor does the Environmental Impact Statement (EIS) documentation being prepared for this project as part of Section 106 process and in accordance with the National Environmental Policy Act (NEPA) process pertain to the US Customs and Border Protection (CBP) compliance process. Therefore, after careful consideration of your request and supporting documentation, FHWA and NYSDOT are declining your request to participate as a Section 106 consulting party member for the Gateway project because the nature of your legal or economic relationship with the undertaking's effect on historic properties was not demonstrated in your request.

You may wish to continue your participation in the EIS process for the project as an interested member of the public. Public involvement is an essential part of the project development process, and provides continuing opportunities for the public to be involved in the identification of social, economic, and environmental impacts. Comments received from the public will be considered in the decision-making process, and appropriately documented in the Environmental Impact Statement.

Sincerely,

/s/ HANS ANKER, P.E.

Hans Anker, PE  
Senior Area Engineer

cc: Dan Hitt, NYSDOT Office of Environment  
Robert Davies, FHWA  
Carol Legard, ACHP  
Daniel Streett, NYSDOT, Engineering Division  
Kimberly Lorenz, NYSDOT Region 5  
James Griffis, E&E, Inc

**RECEIVED**

JUL 15 2013

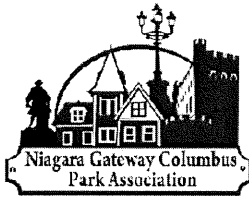
OFFICE OF ENVIRONMENT

July 29, 2013

NYSDOT letter to Consulting Parties –

Transmittal of Preliminary Assessment of Effects

*(See Section 4 Agency Correspondence #22)*



Niagara Gateway Columbus Park Association  
 763 Columbus Parkway  
 Buffalo, NY 14213  
 (716) 881-5309  
[krmecca@yahoo.com](mailto:krmecca@yahoo.com)

August 5, 2013

NY Gateway Connections Improvement Project  
 To the US Peace Bridge Plaza  
 Design Office  
 New York State Department of Transportation  
 100 Seneca Street  
 Buffalo, New York 14203

Re: NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza  
 Request for extension of public comment period

To Whom It May Concern:

Please let this letter reflect a formal request from the Niagara Gateway Columbus Park Association (Columbus Park Neighborhood Association) of Buffalo, New York, for an extension of the Section 106 comment period for the NY Gateway Connections Improvement Project.

Currently, Consulting Party comments are due to the New York State Department of Transportation no later than August 30, 2013. However, this is insufficient time given the magnitude of the project's proposed impact on historic Front Park, Busti Avenue, Porter Avenue, Columbus Parkway, Niagara Street, River Walk, recreational areas, waterfront access and view shed, and the adjacent historic neighborhoods. The community is expected to provide reasonable and relevant comments by August 30, 2013 with few available resources specifically without the July 30, 2013 meeting transcript. As a Consulting Party, the Columbus Park Association believes an extension of the Section 106 comment period and a second Section 106 meeting is warranted. Our request is being made for the following reasons:

- The community depends on the expertise of the National Trust for Historic Preservation and the Preservation League of NYS. Given the long distance locations of the above mentioned, conferencing calling is our only means of communication. Many of us representing historic Prospect Hill - Columbus Park are employed full time elsewhere and cannot attend conferences during the day time when NTHP and PLNYS representatives are available. By limiting the comment period to 30 days, DOT and FHWA is limiting the community's ability to access professional guidance.
- Consulting Party members are expected to submit comments based on 'recall' of conversations that took place during the July 30, 2013 meeting, one handout, and a critical document that was not issued until the day of the Section 106 meeting. Without being able to reference the meeting transcript, Consulting Party members are placed at an unfair disadvantage having to tie together all the complex pieces of critical information from memory.

- The Draft Finding Documentation Preliminary Assessment of Effects Document was not issued by the State and Federal government until the day of the Section 106 meeting. Most Consulting Party members received it later that evening. The timing in releasing this document by the DOT and FHWA is not only suspicious but further complicates the comment process because it removes our ability to openly discuss disputed facts and findings contained in the document. Without direct face to face clarification and no second meeting scheduled, we essentially are forced to comment on an important document of finding in a vacuum. We believe this violates the intent of the National Historic Preservation Act.
- The people who are most impacted by this project are not aware of the Section 106 process because there was no attempt by the State or Federal government to reach out to them or to an active network of existing community based organizations and churches to educate them about the importance of participating in the process.
- The majority of residents who live within the proposed Area of Potential Effect (APE) are poor, working class citizens many of whom are assigned to afternoon or evening shifts at their places of employment. For this reason, an important segment of our community was left out of this process including members of the business community. We believe this violates the intent of the National Historic Preservation Act.
- The Section 106 presentation or related information is not available on the DOT project website.
- None of the information distributed is in any language other than English. The State and Federal government are fully aware that there are over 40 languages spoken in the West Side of Buffalo, and non-English and non-Spanish speaking adults comprise 10% of our population according to the U.S. Census Bureau. The same oversight by the DOT and FHWA was made during the Public Scoping Process.
- The non-English and non-Spanish speaking residents have every right to be informed about the historic impact the proposed project will have on their environment, economic standing, public resources, quality of life and neighborhoods even if they do not have Consulting Party status. They will not know what changes are being proposed unless they can understand the information in their own language. We believe this violates the intent of the National Historic Preservation Act.
- Thirty days is insufficient time for civic and preservation *volunteers* to reach out to community based organizations and churches who can help educate non-English speaking residents about the National Historic Preservation Act, particularly the complexities of Federal Transportation Law 4(f). Without understanding how the project will impact, alter or affect the West Side community, residents cannot adequately participate in a public exchange of ideas or comments. We believe this violates the intent of the National Historic Preservation Act.

- In order for Columbus Park Association and preservation organizations to appropriately submit comments by August 30, 2013 we need to know what non-English speaking West Side residents think about the NY Gateway project and its profound effects on historic resources which are an inextricable link to this community's identity.

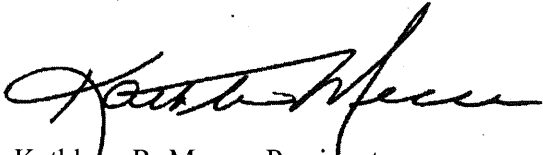
In addition to preserving and protecting the integrity of our historic and disadvantaged community, the West Side faces serious environmental challenges because the community is located downwind of the Peace Bridge. According to the Partnership for the Public Good (PPG), the people of the West Side form one of Buffalo's most diverse and dynamic communities but are also an "environmental justice community disproportionately afflicted with asthma and respiratory disease."

We have a 69% minority rate and a 46% poverty rate, as well as disproportionately high rates of asthma, cancer, and other diseases. These health complications have been linked to the toxic diesel exhaust emitted by the commercial trucks that use the Peace Bridge through empirical medical and environmental research, all of which has been peer reviewed and confirmed by the U.S. Environmental Protection Agency and other respected organizations.

Therefore, we ask that the Section 106 comment period for the NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza be extended for an additional 30 days, beginning on the date that Consulting Party members receive the meeting transcript from the Section 106 meeting of July 30, 2013. To deny the public enough time to review Section 106 materials and respond appropriately under these extraordinary circumstances would place an unnecessary hardship on a community that has actively participated in every public process involving the Peace Bridge crossing for over 20 years.

Thank you in advance for your cooperation.

Sincerely,



Kathleen R. Mecca, President  
Niagara Gateway Columbus Park Association

cc: Robert Davies, U.S. Federal Highway Administration  
Daniel Streett, New York State Department of Transportation  
Maria Lehman, New York State Department of Transportation  
Ron Rienas, Buffalo and Fort Erie Public Bridge Authority  
John Bonafide, SHPO  
Carlo Legard, ACHP  
Honorable Robin Schimminger, New York State Assembly  
Honorable Mickey Kearns, New York State Assembly

Honorable Mark Grisanti, NYS Senate  
Honorable Tim Kennedy, NYS Senate  
Honorable Charles Schumer, U.S. Senate  
Honorable Brian Higgins, U.S. Congress  
Elizabeth Merritt, National Trust for Historic Preservation  
Tania Werbitzky, Preservation League of New York State  
Jason Wilson, Preservation Buffalo Niagara  
Terry Robinson, Preservation Buffalo Niagara  
Tim Tielman, Campaign for Greater Buffalo History, Architecture and Culture  
Alan Oberst, Consulting Party member  
Carole Perla, Consulting Party member  
Linda DeTine, Consulting Party member  
Liz Martina, Consulting Party member  
Peter J. Certo, Consulting Party member  
Joanne Certo, Consulting Party member  
Honorable Mayor Byron Brown  
City of Buffalo Common Council  
Mark Mitskovski, Vice President, Niagara Gateway Columbus Park Association  
Prospect Hill Neighborhood Alliance  
Clean Air Coalition of Western New York  
Western New York Environmental Alliance  
Sierra Club Niagara Chapter  
Citizens for Regional Transit  
West Side Community Collaborative  
Buffalo West Side Environmental Defense Fund  
Partnership for the Public Good  
Local print and broadcast media outlets

**From:** michael herbold [mailto:painterboy14213@gmail.com]

**Sent:** Tuesday, August 06, 2013 11:35 AM

**To:** Streett, Daniel (DOT); Hitt, Dan (DOT); [robert.davies@fhwa.dot.gov](mailto:robert.davies@fhwa.dot.gov); Maria Lehman; Ron Rienas; mark peckham; [clegard@achp.gov](mailto:clegard@achp.gov); Cc: Robin Schimminger; Mickey Kearns; Mark Grisanti; Timothy Kennedy; walt koch; charles schumer; Betsy Merritt; Tania Werbizky; Jason Wilson; Terry Robinson; Tim Tielman; Hon. Byron Brown; Natasha Soto; Jack Foran; Mike Puma; [ebuckley@wbfo.org](mailto:ebuckley@wbfo.org)

**Cc:** [brussell@city-buffalo.com](mailto:brussell@city-buffalo.com); [dpridgen@city-buffalo.com](mailto:dpridgen@city-buffalo.com); [dfranczyk@city-buffalo.com](mailto:dfranczyk@city-buffalo.com); [dsmith@city-buffalo.com](mailto:dsmith@city-buffalo.com); [jgolombek@city-buffalo.com](mailto:jgolombek@city-buffalo.com); [mlocurto@city-buffalo.com](mailto:mlocurto@city-buffalo.com); [rfontana@city-buffalo.com](mailto:rfontana@city-buffalo.com)

**Subject:** Re: Request for extension to Section 106 comments

August 5, 2013

Michael Herbold  
85 Rhode Island Street  
Buffalo, NY 14213

NY Gateway Connections Improvement Project  
To the US Peace Bridge Plaza  
Design Office  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, New York 14203

Re: NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza  
Request for extension of public comment period

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2

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3

- In order for Columbus Park Association and preservation organizations to appropriately submit comments by August 30, 2013 we need to know what non-English speaking West Side residents think about the NY Gateway project and its profound effects on historic resources which are an inextricable link to this community's identity.

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Thank you in advance for your cooperation.

Sincerely,

Michael Herbold

Niagara Gateway Columbus Park Association

Niagara Hall Associates

August 15, 2013

NYSDOT to Consulting Parties –

Transmittal of Consulting Parties' Meeting Transcript

*(See Section 106 Agency Correspondence #27)*

**From:** Schneekloth, Lynda [<mailto:lhs1@buffalo.edu>]  
**Sent:** Sunday, August 18, 2013 9:35 PM  
**To:** Wells-Brewer, Merlene (DOT)  
**Subject:** NY Gateway Connections Improvement Project

Dear Ms. Wells-Brewer,

I am in receipt of your letter of August 15, 2013 explaining the extension of the comment period for the "Draft Finding Documentation: A Preliminary Assessment of Effects." I was out of the country for the July 30 meeting and appreciate the extension.

However, the correspondence states that there is a copy of the stenographic transcript of Section 106 Consulting Party meeting. However, this was not enclosed although I did receive copies of the same letter sent to various parties.

I would appreciate a copy of the transcription and other information presented so that I could prepare comments.

Thanks,

Lynda Schneekloth, Chair  
Sierra Club Niagara Group



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
ALBANY, N.Y. 12232  
WWW.DOT.NY.GOV

JOAN McDONALD  
COMMISSIONER

ANDREW M. CUOMO  
GOVERNOR

August 26, 2013

Ms. Lynda Schneekloth, Chair  
Sierra Club Niagara Group  
601 W. Ferry Street  
Buffalo, NY 14222

**RE: NY Gateway Connections Improvement Project to the US Peace Bridge Plaza  
Response to request for Section 106 Consulting Parties Meeting transcript**

Dear Ms. Schneekloth;

We received your email dated August 18, 2013 regarding the letter you received from the New York State Department of Transportation (NYSDOT) to the Section 106 Consulting Parties for the NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza. The purpose of the letter from NYSDOT was to transmit the transcript from the July 30<sup>th</sup> Consulting Parties Meeting and also provide a response to a request received from the Columbus Park Association to extend the comment period on the *"Draft Finding Documentation: A Preliminary Assessment of Effects."*

The Sierra Club Niagara Group was copied on the comment period extension request from the Columbus Park Association. Thus, we copied the Sierra Club, along with others, on our response to this request. However, only the recognized Section 106 Consulting Parties received the stenographic transcript. Since the Sierra Club is not a Consulting Party on this project, a transcript was not sent to your organization. Nevertheless, in response to your request, for informational purposes, the transcript from the Consulting Parties Meeting is enclosed.

Please be aware that, at this time, NYSDOT and the Federal Highway Administration (FHWA) are requesting comments on the Draft Finding Documentation from the approved Section 106 Consulting Parties. Interested organizations, such as the Sierra Club, and the public will be provided opportunities to comment on the environmental effects of the project throughout the process. At this time, we anticipate holding a public informational meeting in mid-October 2013, releasing the Draft Environmental Impact Statement (DEIS) in November 2013 for review and comment, and scheduling a Public Hearing in early to mid-December 2013.

In addition, please note that the Scoping Report for the project was recently issued. This report and additional project information are available on the project website:

<https://www.dot.ny.gov/nygateway>

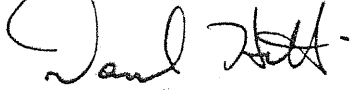
Ms. L. Schneekloth

8/26/2013

pg. 2

Thank you for your interest in the NY Gateway Connections Project. Please do not hesitate to contact me should you have any questions. I can be reached at [dan.hitt@dot.ny.gov](mailto:dan.hitt@dot.ny.gov) or (518) 457-4054.

Sincerely,



Daniel P. Hitt, RLA

(Acting) Co-Director, Office of Environment

Enclosure

cc: D. Streett, NYSDOT MO

K. Lorenz, NYSDOT Region 5

H. Anker, FHWA

R. Davies, FHWA

T. Donohue, Parsons

J. Griffis, Ecology & Environment

CP # 24

**From:** Linda DeTine, [mailto:lindadetine@hotmail.com]  
**Sent:** Wednesday, August 28, 2013 10:14 PM  
**To:** Wells-Brewer, Merlene (DOT)  
**Subject:** Section 106 comments - PIN 5760.80/13PRO2859

Dear Ms. Welss-Brewer:

Re: New York Gateway Connections Improvement Project to the US Peace Bridge Plaza

Please accept these comments to the NYSDOT/FHWA finding of no adverse effect on historic resources from the above project.

I disagree that there will be no adverse effect. First, it is impossible to gauge what the effect will be on the most important feature of Front Park, i.e., the view it fronts on, without elevations provided. It is disingenuous to say that your agencies do not have information about how high the proposed ramps will be, or that it is not possible to obtain renderings showing the effect on the view shed.

It is also disingenuous to claim that there will be no impact on the recreational use of the Park because the area in question is already occupied by transportation use. This statement ignores the importance of scale or density of use in assessing effects. One ramp allowing for some transportation use has a very different effect than three ramps allowing for much more transportation use. It also sounds like your agencies' position is that because some traffic is there now, the neighborhood can never ever stop any amount of traffic there. But your agencies actually have the responsibility and the power to reduce "transportation use" that is harming such an important historic resource as the Front.

The remarks that the effect of the new ramps will be "similar" to existing conditions and not alter the "character" of existing views from the park are also disingenuously subjective and vague. What do they mean exactly? For one thing, how were these conclusions drawn if your agencies say they cannot demonstrate what the new ramps will look like? What does it mean to be "similar" to existing conditions, in these circumstances? NOT the "same," so how much different, and specifically how different. The phrase tells us nothing. Talking about the "character" of a view tells us nothing. What exactly will the park goer view after the project that he does not view now.

A finding of no adverse effect based on a "net gain" of green space is also shallow and meaningless. The so-called gain of green space is at the back - but the point of putting the park there was the front. An acre in the back does not have the same value as an acre at the front of the Front. Especially as the pavement gained at the front of the Front will be a carrier for what you euphemistically refer to as "transportation use." You mean trucks. The park users "gain" an acre of green space at the back, and suffer a gain of trucks between them and the water. That is an adverse effect.

Finally, I again object to the preferential treatment being afforded the Olmsted Park Conservancy in this process over actual residents and users of the Front. The City owns the Front and its residents should have more say than a corporation whose board was not elected by City residents and is not answerable to City residents. We are the best participants to speak for ourselves and our Park.

In short, this project will further destroy Olmsted's Front Park, impose further "transportation use" harm on the area residents, and assuredly have an enormous adverse effect on the surrounding historic resources.

Thank you for your attention.

Linda J. DeTine  
676 Columbus Parkway  
Buffalo, New York 14213  
716-510-8453

# Fargo Estate Neighborhood Association

*Bounded by Porter, West, Pennsylvania & Prospect ~ Including Fargo & Jersey Streets*

c/o ~ Eighty One Fargo Avenue ~ Buffalo, New York 14201-1139

William G. Fargo (1818~1881)

Mayor of Buffalo During The Civil War (1862~1866)

Co-Founder of the Pony Express - Wells Fargo & Co. & American Express Co.

**Charter Member of Prospect Hill Neighborhood Alliance**

*Neighborhood Homes Designated Historically Significant by Buffalo Preservation Board*



August 29, 2013

NY Gateway Connections Improvement Project  
to the U.S. Peace Bridge Plaza  
New York State Department of Transportation, Design Office  
100 Seneca Street  
Buffalo, NY 14203

Jonathan D. McDade  
Division Administrator, New York Division  
U.S. Federal Highway Administration  
Leo O'Brien Federal Building  
11A Clinton Avenue, Suite 719  
Albany, NY 12207

Darrell F. Kaminski  
Regional Director, Region 5  
New York State Department of Transportation  
100 Seneca Street  
Buffalo, NY 14203

Merlene Wells-Brewer  
NYSDOT Region 5  
Landscape Architecture/Environmental Unit  
100 Seneca Street  
Buffalo, NY 14203  
merlene.wells-brewer@dot.ny.gov

**RE: Public Comment on Section 106; NY Gateway Connections Improvement Project to the U.S. Peace Bridge Plaza**

Dear Ms. Wells-Brewer,

The following comments are being submitted on behalf of the Prospect Hill Neighborhood Alliance:

We ask that they be included in the official record for this project and that they be considered in your execution of the Section 106 review process to reduce unnecessary adverse historic impacts and improve the health, social, economic, and environmental outcomes of this entire process and the eventual project.

It is our contention that the proposed NY Gateway Connections Improvement Project (the Project) should be removed from funding considerations by the United States Department of Transportation for the following reasons:

The Project introduces incompatible visual, atmospheric and audible elements into the historic area in which this Project is located;

The Project alterations are inconsistent with the vision of the historic Olmsted Parkway Porter Avenue;

The Project may lead to the removal/destruction of the historic Canal Bridge Foundation (see included photographs)

Further, The Prospect Hill Neighborhood Alliance submits the attached design of Porter Avenue as to be considered as one of the alternative builds to the proposed Gateway Project.

The project ignores previous community-based planning decisions for Porter Avenue that were vetted in between 2004-2007. (see attached web-links:

BUFFALO CORRIDOR MANAGEMENT PLAN NYSDOT P.I.N. 5756.29 CITY OF BUFFALO WATERFRONT TRANSPORTATION CORRIDOR INITIATIVE Porter Avenue Waterfront Gateway (AMVETS Drive to Niagara Street) January 2005 EXPANDED PROJECT PROPOSAL

[http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW\\_Volume7\\_Porter.pdf](http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW_Volume7_Porter.pdf)

The Buffalo Corridor Management) Project PIN 5756.29 Volume 5 Waterfront Gateway Node Description, UB Urban Design Project

[http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW\\_Volume5\\_Primary.pdf](http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW_Volume5_Primary.pdf)

and Queen City Waterfront Buffalo Waterfront Corridor Initiative: A Strategic Plan for Transportation Improvements... Final Report for the “Buffalo Corridor Management Plan” (NYSDOT PIN 5756.29) April 2007)

[http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW\\_Volume1\\_Strategy.pdf](http://urbandesignproject.ap.buffalo.edu/projects/wci/QCW_Volume1_Strategy.pdf)

From 2003-2007, the surrounding community was engaged in the development and eventual adoption of the above documents as outlined in the final Queen City Waterfront Buffalo Waterfront Corridor Initiative. Those documents clearly stated the need to preserve and enhance the visual and atmospheric elements of Porter Avenue as both a part of the Olmsted Parkway System and as a gateway to Buffalo’s waterfront; the waterfront being undeniably an historic treasure in the development of the City.

To quote from that document:

“... create more attractive routes to the waterfront, and promote the image of our international gateway. The design of such improvements will be fairly straightforward, especially in the immediate vicinity of the Peace Bridge and plaza, once final decisions have been reached about the design and location of the bridge and plaza themselves. Such designs should avoid, however, directing bridge traffic directly on to Porter Avenue, where park and waterfront values might be compromised.” Clearly this Gateway Project is inconsistent with all the attached reports, all of which incorporated hours of community involvement, all of which members of our Alliance participated in, and all of which made serious deference to preserving the historic nature of Porter Ave and the surrounding community.

To quote from the **P.I.N. 5756.29 – Buffalo Corridor Management Plan – EPP City of Buffalo Waterfront Transportation Corridor Initiative Porter Avenue Waterfront Gateway:**

Buffalo can create great gateways to its waterfront by following a simple set of guidelines for the design and redevelopment of key connections between the city and the shoreline. The Buffalo Waterfront Corridor Initiative established the following overall goals and key principles for waterfront gateway design.

General urban design goals for the waterfront

- Improving **access** to the waterfront;
- Promoting **community and economic development**;
- Enhancing **transportation** efficiency; and,
- Supporting **historic preservation** efforts. Urban design goals for Porter Avenue
- Make it one of Buffalo’s great Olmsted avenues;
- Connect the park system to Front Park and beyond to the water’s edge;
- Create a grand civic street with educational and public amenities. Urban design guidelines for Porter Avenue **Access:**
- Provide direct access to the water’s edge for cars, bicycles and pedestrians from Symphony Circle, from the Niagara Street radial north and south, and from surrounding streets, schools and colleges;

- Create uninterrupted sight lines along Porter Avenue to the water and frame the vista with trees, lighting and street walls;
- Improve public access at the foot of Porter Avenue and maximize access to the public waterfront at Cotter Point;
- Expand waterfront activities at new venues such as the Great Lakes Research Center and boat museum, through improved fishing and boating access, and through programming;
- Improve safety and security by improving lighting for cars and pedestrians on bridges and on park edges and by promoting appropriate mixed use development along Porter Avenue;
- Transform bridge overpasses from barriers to gateways through the use of lighting, artwork, signage, and use of a recognizable waterfront marker.
- Provide an observation point at the foot of Porter Avenue to take advantage of the available view of Lake Erie, Canada and the Niagara River.
- Reinforce Niagara Street as the international gateway to Downtown through streetscape improvements, directional signage, and urban-density redevelopment;
- Over time, promote the replacement of low-density auto-oriented businesses on Porter with urban street-front development, including multi-story and mixed-use buildings with ground floor commercial and upper housing and offices;
- Develop water-dependent and water-enhanced uses within the coastal zone as consistent with the Local Waterfront Revitalization Program.

**Transportation:**

- Connect DAR Drive from LaSalle Park with access road to Cotter Point to create clear four-way intersection with Porter Avenue;
- Minimize expansion of surface parking lots by allowing on-street parking and continued parking in existing lots;
- Provide clear vehicular access to highways and from highways to the local street network through improved signage to I-190, the Peace Bridge, and routes to Downtown;
- Provide alternative access along street connections to waterfront including transit connections, designated bikeways, and safe and friendly pedestrian paths;
- Create a more walkable and bicycle friendly facility

**Historic Preservation:**

- Reestablish the Olmsted boulevard pattern and connections to and from historic Front Park through reconfiguration of pavements, sidewalks and landscaping;
- Reinforce Olmsted design standards through the use of historically appropriate lighting fixtures and patterns, street furniture, paving, etc.
- Celebrate and interpret Porter Avenue's Olmsted history, its Erie Canal history including the route of the canal and the canal bridge foundations, and other historical elements, including the West Side Rowing Club, the Col. Ward Pumping Station and the Bird Island pier. Also, the razed Old Fort Porter which was located next to the Front Park as the premier training ground for the Buffalo/Union Army regiments that were mustered out to fight in the Civil War and World War I regiments. Last, but not least mention of the any War of 1812 battles fought near by.

**D. OBJECTIVES**

The objective of this project is to provide a direct, safe, and efficient link from a residential neighborhood and business district with the international border crossing and underutilized waterfront.

The following goals are needed to achieve that objective:

1. Enhance the ambiance of the surrounding residential, business, and recreational land uses.
2. Improve the overall experience for motorists, pedestrians, and bicyclists as they travel through the study area and visit the waterfront.
3. Minimize disturbance and, if possible, enhance the natural environment.
4. Improve roadway conditions as well as non-standard features to the maximum extent feasible using cost effective solutions.

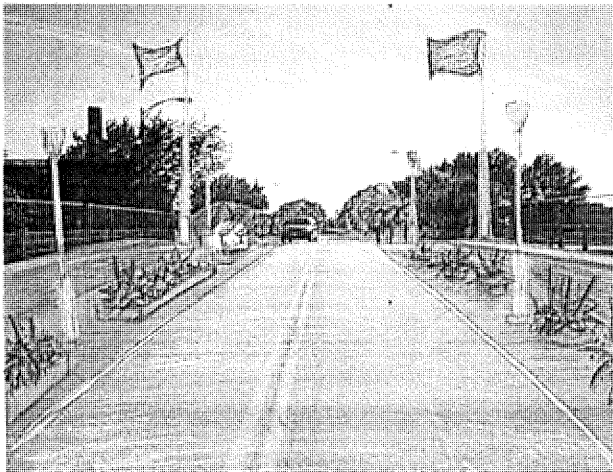
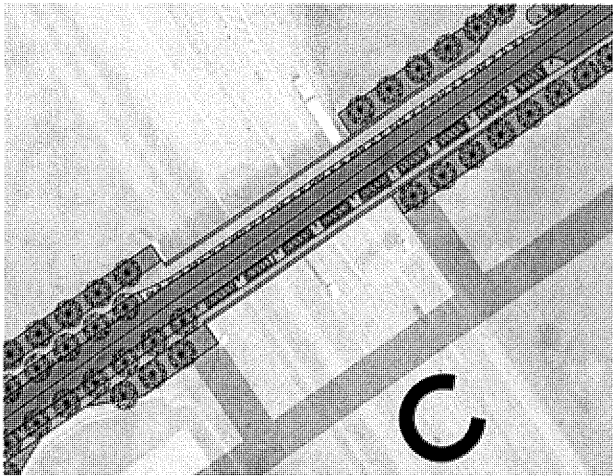
The above quote illustrates that the proposed Gateway Project is ignoring previous community planned transportation enhancements that addressed Porter Avenue as the historic artifact that it is. This Plan goes so far as to deny its value as an historic treasure.

To further illustrate the great length that these previous plans took in understanding Porter Avenue in a historical perspective, please review the illustration below, suggesting how the bridge over the I-190 should be designed:

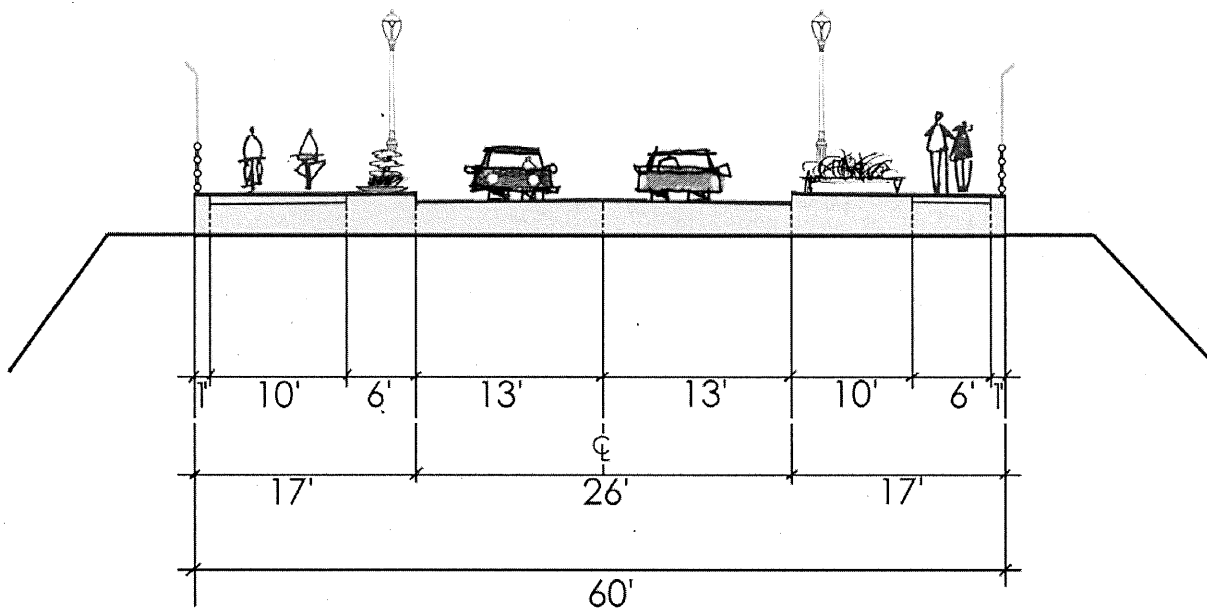
**From The Buffalo Corridor Management Project PIN 5756.29 Volume 5 Waterfront Gateway Node Description, UB Urban Design Project:**

“Section “C” - The Bridge plan and section

The bridge is built on a historic foundation that was a part of the Erie Canal. We are suggesting a way to have access to the lower level here to be able to see those foundations. The road on the bridge is narrowed and the space used for bikeway and walkways with historic lighting features.



*Facing west*



## Section C -

Bridge

Traffic: 2 Lanes

Bike: Recreational Trail

29" - end quote

Recent photo of the foundation of the present Porter Avenue Bridge over the I-190 which shows some of the original structural artifacts from the Erie Canal.



The Prospect Hill Neighborhood Alliance expects that any federally funded project should have the same due diligence towards historic preservation as was done in these previous plans. We have not to date, seen that effort made.

**We also urge that these previous designs be taken into consideration as an alternative build to the proposed Gateway Project.** We do not understand how a community's effort to enhance the design the historic parkways within its neighborhood be given a back seat to the designs of a commercial entity (The Peace Bridge Authority) of moving large trucks onto that same Fargo Estate Neighborhood Association – Page 5

parkway. In fact, it should be the residents of this gateway area that be given the right to present its preferred design of Porter Avenue as the design of first preference.

Sincerely,

*James Messina*

James Messina, President

Fargo Estate Neighborhood Association

~ On behalf of the Prospect Hill Neighborhood Alliance

*Andrew Goldstein*

Andrew Goldstein, 1<sup>st</sup> Vice President

Phone – 716.882.0016

Email – jjm8181@aol.com



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Thomas Herrera-Mishler, CEO

***Buffalo's Olmsted System***

- Parks***
  - Cazenovia
  - Delaware
  - Front
  - Martin Luther King, Jr.
  - Riverside
  - South
- Parkways***
  - Bidwell
  - Chapin
  - Lincoln
  - McKinley
  - Porter
  - Red Jacket
  - Richmond
- Circles***
  - Agassiz
  - Colonial
  - Ferry
  - Gates
  - McClellan
  - McKinley
  - Soldiers
  - Symphony

August 30, 2013

Merlene Wells-Brewer  
 NYSDOT Region 5  
 Landscape Architecture/Environmental Unit  
 100 Seneca Street  
 Buffalo, NY 14203

RE: NY Gateway Connections Improvement Project to the US Peace  
 Bridge Plaza  
 PIN 5760.80 / 13PR02859  
 City of Buffalo, Erie County, New York  
 Section 106 Review Process - Preliminary Assessment of Effects

Dear Ms. Wells-Brewer,

The Buffalo Olmsted Parks Conservancy appreciates the opportunity to comment on the Preliminary Assessment of Effects Findings as a part of Section 106 Review Process. Front Park is an important part of the historically significant, Olmsted designed parks system in the City of Buffalo. As stewards of the Buffalo Olmsted Parks System the Conservancy is focused on ensuring that every project undertaking within the City of Buffalo with the potential for direct or indirect impact on the Olmsted Parks System does not degrade their historic integrity in any way.

In reference to Table 2 in Section 3 of the Draft Findings Document for Front Park, the BOPC is in favor of the proposed changes for Front Park. Elimination of Baird Drive and realignment of the park entrance road will greatly improve park access from the community and provide tremendous opportunity for historic landscape restoration as a part of this project.

The BOPC does take exception with regard to the statement in Section 4 - Basis for Recommended Project Findings that reconfiguration of Ramps PN and P will have no negative impact on the historic significance of Front Park. While it appears accurate that the new ramps will not further obstruct existing views, adding additional traffic to the area and additional roadways closer to the park will have an indirect impact on the historic character of the southwest corner of the park. Further effort should be made to minimize and mitigate this impact with a landscaped retaining wall shielding the park from the sights and sounds of the Peace Bridge vehicle traffic.

In reference to Table 2 in Section 3 for Porter Ave, the BOPC is not convinced that the use of a roundabout, while reminiscent of historic Olmstedian features in other parts of the parks system, is appropriate for this location. The BOPC is not in favor of relocation of the multimodal trail to the south side of Porter Ave between Lakeview Ave. and LaSalle Park. The existing bike trail to the Foot of Porter Ave is on the north side of the road, the existing Riverwalk Trailhead is on the north side of Porter Ave. and Front Park is on the north side of Porter Ave. Efforts need to be made to control traffic and make for safe, direct access from Front Park to the Porter Ave Bridge, not to reroute pedestrians and bicycles into a separated, circuitous route to the waterfront to allow for maximized vehicle movement. Further discussion is required to resolve the issues at this critical location in the APE.

It was mentioned at the July 30<sup>th</sup> Section 106 mtg. that reconstruction of the Porter Ave Bridge is scheduled for the near future. It should be noted that there is tremendous historic significance to the existing stone abutments of that bridge and historic images show an ornate bridge that once crossed the Erie Canal in this location. Efforts should be made to reconstruct this bridge as a grand ornamental crossing, and consideration should be given to the approaches to the bridge with this future character in mind. Furthermore, the Olmsted Firm made significant recommendations to the City of Buffalo for an Addition to Front Park across the Porter Ave Bridge in 1891, the extent to which this was ever implemented is unclear. Nevertheless, Porter Ave. is an important corridor to our waterfront, it should be treated with dignity.

Thanks you for this opportunity to comment, we look forward to future dialogue on this project.

Sincerely,



Thomas Herrera-Mishler

CEO and President.  
Buffalo Olmsted Parks Conservancy

C.C. - G. Mucci  
F. Johnson

PRESERVATION  
*Buffalo Niagara*  
*Building on the past for our FUTURE*

August 30, 2013

Merlene Wells-Brewer  
NYSDOT Region 5  
Landscape Architecture / Environmental Unit  
100 Seneca Street,  
Buffalo, NY 14203

Section 106 Consulting Party Comments re: NY Gateway Improvement Project to the US Peace Bridge Plaza

Dear Merlene Wells-Brewer,

Preservation Buffalo Niagara, representing the interests of the Western New York community regarding matters related to Historic Preservation, is extremely concerned that several adverse impacts will arise as a result of the proposed NY Gateway Improvement Project to the US Peace Bridge Plaza.

Those concerns are:

- Destruction of the historic viewshed from Front Park, a historic resource listed on the National Register of Historic Places (National Register). The construction of the proposed ramps along the southwestern boundary of Front Park will obstruct the principle view of Lake Erie, the waterfront and the Niagara River. Designed by noted Landscape Architect Frederick Law Olmsted in the early 1870s, Front Park is a key element of the nation's first park and parkway system. One of Front Park's original historic purposes was to showcase the sweeping views of Lake Erie, the waterfront and the Niagara River only available from this site. The current proposed project will have an adverse impact on this historic resource by obscuring these principle views as the original design had intended.
- Destruction of the historic viewshed from the identified National Register and National Register-eligible resources that are directly adjacent to Front Park along Busti Avenue. The construction and configuration of the proposed ramps along the southwestern boundary of Front Park will obstruct the principle view of Lake Erie, the waterfront and the Niagara River as originally intended for the residential properties that are directly adjacent to the park along Busti Avenue. Additionally, the current configuration of the proposed ramps would force wide-load trucks to use local streets including Busti Avenue. As a result, whenever traffic congestion is present, wide-load trucks and other traffic would act as a screen and obscure these principle views from these historic resources as originally intended.

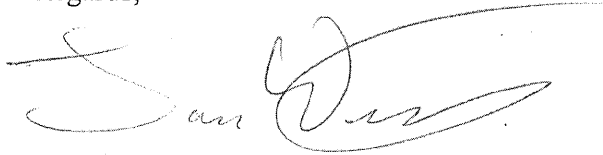
# PRESERVATION *Buffalo Niagara*

*Building on the past for our FUTURE*

- The Section 106 Review process provides an excellent opportunity to revisit the boundaries of the Area of Potential Effect(APE). Preservation Buffalo Niagara firmly believes that the present boundaries of the APE excluded numerous historic resources. To truly measure the potential adverse impact of the proposed project the boundaries of the APE need to be reexamined and expanded. One example of this concern is displayed in Preservation Buffalo Niagara's Prospect Hill Historic District Initiative. In the spring of this year Preservation Buffalo Niagara began an effort to establish a Local, State and National Register Historic District in the Prospect Hill neighborhood. In August of this year Preservation Buffalo Niagara was awarded a \$10,000 grant towards the completion of this initiative from the Preservation League of New York State. The boundaries of the proposed historic district initiative will include both properties currently within the APE as well as outside of it. Given this discrepancy Preservation Buffalo Niagara is requesting that the entire APE is reexamine in order to truly measure the potential adverse impact of the proposed project.

Thank you for the opportunity to comment on this project.

Regards,

A handwritten signature in dark ink, appearing to read "Jason Wilson", with a stylized, flowing script.

Jason Wilson, Director of Operations

Niagara Gateway Columbus Park Association  
 763 Columbus Parkway  
 Buffalo, New York 14213  
 www.movetheplaza.com



Contact: Kathy Mecca, President  
 (716) 881-5309 (716) 984-4218  
 krmecca@yahoo.com

August 30, 2013

NY Gateway Connections Improvement Project  
 to the U.S. Peace Bridge Plaza  
 New York State Department of Transportation, Design Office  
 100 Seneca Street  
 Buffalo, NY 14203

Jonathan D. McDade  
 Division Administrator, New York Division  
 U.S. Federal Highway Administration  
 Leo O'Brien Federal Building  
 11A Clinton Avenue, Suite 719  
 Albany, NY 12207

Darrell F. Kaminski  
 Regional Director, Region 5  
 New York State Department of Transportation  
 100 Seneca Street  
 Buffalo, NY 14203

Merlene Wells-Brewer  
 NYSDOT Region 5  
 Landscape Architecture/Environmental Unit  
 100 Seneca Street  
 Buffalo, NY 14203

**RE: Public Comment on Section 106; NY Gateway Connections Improvement Project to the U.S.  
 Peace Bridge Plaza**

Dear Ms. Wells-Brewer,

The following comments are being submitted on behalf of the Niagara Gateway Columbus Park Association. We ask that they be included in the official record for this project and that they be considered in your execution of the Section 106 review process to reduce unnecessary adverse historic impacts and improve the health, social, economic, and environmental outcomes of this entire process and the eventual project.

The Gateway design project is conceptually flawed because in theory it can only achieve a single-minded purpose which benefits the DOT and FHWA but not the Prospect Hill community. The APE is so narrowly defined it does not even include the Peace Bridge Plaza – the impetus behind the Gateway Project. The

context in which the APE was developed in no way reflects our community which is historically tied to the scenic view of Front Park, Lake Erie and the Niagara River. The APE boundaries need to be expanded further north, east and south (as described in the July 30, 2013 Section 106 Transcript). Therefore, the Prospect Hill-Columbus Park historic district rejects the Preliminary Assessment of Effects because the findings are based upon unsound criteria, incomplete data, inaccurate facts, and contrived boundaries that do not represent the scope of what constitutes the historic district of Prospect Hill or the potential impact on other West Side neighborhoods.

The DOT and FHWA has failed to first consider all other viable alternatives that have been recommended, and endorsed by EPA, The Clean Air Coalition, The Buffalo Common Council, numerous medical scientists, Cornell University's Partnership for Public Good, the National Trust for Historic Preservation, the Preservation League of NYS, Preservation Buffalo Niagara, Campaign for Greater Buffalo, Buffalo Olmsted Parks Conservancy, The Prospect Hill Neighborhood Alliance, The City of Buffalo Green Code, and most importantly the residents of Buffalo's West Side district.

Instead of examining other alternatives, they have invested a wasteful amount of time and money studying yet another transportation project that demands the highest degree of intrusion into Olmsted's unique design for historically designated Front Park. The project turns historic Porter Avenue, a boulevard that leads directly to Front Park and the waterfront into an induced traffic route that will carry thousands of vehicles each day to and from the Peace Bridge including 7-10 extra wide load tractor trailers traversing alongside of, and around historic Front Park, Busti Avenue, local neighborhood streets and the surrounding designated historic Prospect Hill district. Residents who live near Front Park, Porter Avenue and the Peace Bridge know that the removal of Baird Drive will only increase traffic congestion to the Peace Bridge not eliminate or mitigate it.

The FHWA withdrew from a similar transportation project linked to the Peace Bridge Crossing on Buffalo's West Side. After spending \$25 million dollars studying the EIS and Section 106 process, FHWA issued a 'Notice to Rescind' in January 2012, terminating their role as lead agent in the project. After 11 years and millions of dollars the FHWA concluded they could not achieve an FEIS in large part because of the growing opposition from the collective community *regarding the profound impacts on its historic resources, environment, air quality and the health and welfare of a designated community of environmental justice.*

According to Ralph Scalise, GSA Land and Port of Entry Program, both the community outcry and the mitigation measures that GSA and FHWA would have had to implement to address the community's concerns caused the price of the project to escalate beyond reason forcing the FHWA to terminate the EIS process.

However, less than 12 months later the FHWA partnered with NYSDOT and launched the Gateway Connections Project despite eleven years of insurmountable evidence and the expenditure of \$25 million dollars. Apparently undeterred, the FHWA is poised to spend more taxpayer dollars constructing another transportation project that again will benefit the Peace Bridge Authority but one that national experts have described as a classic neighborhood killer reminiscent of Robert Moses.

## Funding

The DOT and FHWA has failed to demonstrate how the project will be paid for before beginning the Scoping and Section 106 process.

- In October 10, 2012, NYSDOT Commissioner Joan McDonald stated in a letter to Sam Hoyt, PBA Board Chairman, that no DOT funds were available to build a ramp or roadway project to the U.S. Peace Bridge Plaza. Yet 6 months later, in April 2013, the DOT publicly announced The Gateway Connections project with a 'fast-track' timeline - a decision made in defiance of DOT Commissioner McDonald's October 2012 directive which states; "Although the concept of a direct connection ramp appears plausible, there is no funding currently available to cover the estimated project cost of \$24 to \$29 million."
- In January of 2012, The FHWA stated in the National Register of projects that no federal funds were available to continue the Peace Bridge Expansion project which also included additional ramps and roadways leading to the U.S. plaza. The public has the right to know how the FHWA will fund their portion of the Gateway project before any further advancement takes place.
- The community believes that the DOT has not released or disclosed all of the engineering plans that involve the section of the Thruway adjacent to Front Park leading to the Peace Bridge. The plans show the lowering of that portion of the highway, and reducing the number of current lanes to one. This will have a significant impact on the overall cost of the project.
- Mr. Daniel Streett, DOT Engineering Division refused to accommodate the community's recent request to view all current plans for ramping, and roadways before the close of the Section 106 comment period and instead directed us to the NYS website on how to file a Freedom of Information request.
- This summer Peace Bridge traffic jams have routinely occurred three to four times a week blocking the public's access to Front Park, Porter Avenue, LaSalle Park, the waterfront, and local streets. Frustrated drivers often travel the wrong way on local streets in search of an outlet.
- Residents who live here know how frequently traffic jams occur during peak hours on the Thruway exit to the Peace Bridge. Any disruption of traffic on the exit to the U.S. plaza disrupts traffic on the plaza and the bridge. In turn, traffic waiting to enter the U.S. plaza backs up into residential streets creating unsafe conditions for residents, pedestrians and children. Installing another flyover ramp, traffic light or a traffic circle will not mitigate or eliminate this problem because DOT cannot control the volume of international traffic headed to the Peace Bridge or change the practices of Canadian Customs and Inspections who are responsible for creating the traffic congestion on the U.S. side of the plaza and bridge.
- The only reasonable approach to permanently eliminating traffic disruption to Front Park and the historic community is to remove commercial trucks crossing at the Peace Bridge. An alternative the DOT and FHWA steadfastly refuse to consider.

## Archeological Findings

The community rejects the findings of Douglas Perrelli. We object to the Report prepared by Nathan Montague and Douglas Perrelli because it uses the same flawed information from the 2007 Peace Bridge Expansion report which is no longer applicable to this project. Furthermore, Mr. Perrelli's department at the University of Buffalo has an on-going working relationship with the NYSDOT which involves Delaware Park, another Olmsted historic park.

The community is doubtful that Mr. Perrelli can objectively evaluate the adverse impact on Prospect Hill historic district independent of the desired outcomes set forth by the DOT. For example, in 2008 Mr. Perrelli acknowledged that the historic boundaries he developed for the Public Bridge Authority, FHWA and DOT expansion project were pre-determined in his contract with DOT. Upon further examination by independent Architectural Historians, the historic boundaries identified by Perrelli in the 2007 archeological report identically matched the 2007 expanded transportation footprint. We have no reason to believe this same practice has not occurred in the Preliminary Assessment of Effects document.

## Treating Olmsted's Park System Differently

Mr. Perrelli's UB Archaeology team has been contractually working with the NYSDOT for the past four years to locate artifacts at Olmsted's Delaware Park before any construction to downgrade the Scajacuada Expressway which runs adjacent to Delaware Park begins. The Prospect Hill community objects to DOT using different standards and practices to evaluate historically significant findings at Delaware Park vs. Front Park.

In a Buffalo News article dated August 6, 2013; 'Archaeological trash, treasures found in Delaware Park', NYSDOT hired Perrelli's team of Archaeologists in 2009 "to identify ancient archeological area of significance" inside of Delaware Park. The DOT wanted the work down before embarking on a proposed \$85 million dollar project to downgrade the highway into a pedestrian and bike-friendly boulevard.

- The community objects to the DOT applying different methodology to one Olmsted Park vs. another. The State Transportation Department should implement the same standard policies and procedures for all Olmsted Parks since Olmsted designed the Parks as a unified park land system.
- The search for artifacts by Perrelli's team in Delaware Park is no more important or historically significant than what may exist along the NYS Thruway that runs adjacent to Front Park. Both super highways were constructed during the same era by the same state transportation department. Yet, Perrelli was not hired to do a surface preliminary assessment of Front Park prior to construction.
- Mr. Perrelli is incorrect to assume that Front Park's historic significance is buried too deep to warrant a preliminary surface investigation. Perrelli made this decision based upon maps and

file data instead of an in depth on-site investigation. The community rejects this method as insufficient and arbitrary.

- Historically Front Park and the waterfront is inextricably linked to a significant period of history in Buffalo which included American Indian settlements, the War of 1812, the formation of the City of Buffalo, the pivotal African American period during the Civil War, Fort Porter, Fort Tompkins, The Erie Canal, and the culturally rich era of Italian-Americans relocating to Prospect Hill.
- Without a thorough surface investigation, the public will never know what significant artifacts remain inside of Front Park, Baird Drive, the NYS Thruway, Porter Avenue, or the River Walk. What has been deposited along the Thruway, in Front Park, along Porter Avenue and the River Walk over the past 60-70 years?
- Historic artifacts that remain unearthed could be irrevocably damaged during the construction phase or possibly never recovered, thus forever sealing our historic past.
- Delaware Park is located in a wealthy predominantly white residential district in Buffalo known as the Delaware District. Front Park is located on Buffalo's West Side, one of the City's poorest districts which according to the 2010 U.S. census houses the largest minority and immigrant population in Buffalo.
- The DOT should apply the same careful standards when assessing the historic resources of all Olmsted parks before commencing with any transportation project.
- The DOT's preliminary findings that the Gateway project will have no adverse impact on Front Park or the surrounding historic area is arbitrary and capricious. The community rejects this finding as premature and prejudicial.

#### The West Side Waterfront

Front Park and Porter Avenue are historically designated resources. Olmsted and Vaux recognized the strategic location of both because of the magnificent view of Lake Erie and the Niagara River. Ownership of the debilitating destruction of this one-of-a-kind view shed for the past 75 years is attributable to the practices of the state transportation department and the Public Bridge Authority. It is incumbent upon the DOT to work toward mitigating these past transportation mistakes so that the vision of Fredrick Law Olmsted can finally be realized.

"Francis R. Kowsky shows in his new history, *The Best Planned City in the World: Olmsted and Vaux the Buffalo Park System* [that] until the 1850s, the concept of a pastoral environment in the heart of the city available to all classes of society simply didn't exist. The movement for healthy verdant spaces open to all citizens required visionary men. In 1868 two of them, Fredrick Law Olmsted and Calvert Vaux, set their sights on Buffalo, New York. Their goal: to create nothing less than the most extensive park system in the world. Buffalo's park system was to be the first of its kind, a revolutionary urban experiment worthy of what was then one of the

busiest ports on earth in all its Gilded Age glory. For Olmsted and Vaux, straight off their twin triumphs Central and Prospect Parks, one park for Buffalo wasn't enough. Buffalo was to have three parks distinct from one another, linked throughout the city by majestic, tree-canopied boulevards (parkways Olmsted called them), that were parks in themselves. **It was, and remains, the first metropolitan park system of its kind planned...**"

*The Best Planned City in the World: 2013 by Francis R. Kowsky, SUNY Distinguished Professor Emeritus and Fellow of the Society of Architectural Historians.*

In 2008, Buffalo Olmsted Parks Conservancy (BOPC) called upon the expertise of retired American University history professor Charles Beveridge to speak about Front Park and the adverse impact of the 2007 proposed Peace Bridge expansion which the DOT supported. Mr. Beveridge, a historian who has consulted on the restoration of more than 40 Olmsted parks across the country and considered the world's foremost authority on Olmsted said Buffalo's Front Park "is the most mistreated park, or the park treated in the most undignified way, of all the parks Olmsted designed," Beveridge made it clear that as long as Front Park was obstructed by visible ramps, "they're negating the purpose of Front Park."

- It is incumbent upon the DOT to embrace not ignore the opinion of world class Olmsted experts. The legacy left to Buffalo by Olmsted and Vaux should be treated with the highest degree of respect. Elevated ramps and super highway structures that obliterate the magnificent waterfront views from Front Park are manmade scars that diminish the brilliance of Frederick Law Olmsted's vision for this country's first planned park land system right here in Buffalo inside of the West Side district.
- The same thoughtful consideration DOT is using to preserve the history at Delaware Park before turning the adjacent Scajacuada Expressway into a pedestrian and bike-friendly boulevard should be applied to Front Park, the west side waterfront, Prospect Hill historic district and the adjacent West Side Community.
- The residents of Buffalo's West Side have overwhelmingly endorsed dismantling the Niagara stretch of the NYS Thruway into an at-grade waterfront boulevard. They have rejected transportation projects that will further entrench the 1950's super highway mentality reminiscent of Robert Moses or any plans to expand the boundaries of the U.S. side of the Peace Bridge plaza.
- For more than 25 years, the community has worked tirelessly to remove the commercial truck traffic from the Peace Bridge.
- Return the international crossing to its original purpose to service passenger vehicles only.
- Restore air quality to healthy levels vs. unhealthy levels of diesel exhaust which has sickened thousands of residents.
- Remove all unnecessary transportation barriers to unfurled access to our waterfront so that residents, children, pedestrians, bicyclists, college students and visitors can safely use our world class parks.

- The residents of Buffalo's West Side deserve the same consideration given to other districts in Buffalo and Erie County by the DOT.

#### DOT Affords Suburban Communities Workable Solutions

The DOT worked jointly with Town of Hamburg officials, residents and 'walkability' expert Dan Burden to revise its plans to create a pedestrian friendly community, a process "The DOT officials acknowledged that they never sought before."

Hamburg's public collaboration with the DOT was so successful, the town of Williamsville is employing the same method to restore Main Street to a walkable, pedestrian friendly village core. Williamsville officials and residents staged a "take back main street campaign" (Buffalo News, August 10, 2013) by closing the state road off to all traffic. According to Mayor Brian Kulpa, "the whole purpose of it is to just make the village realize that even though this is a state road, this is our Main Street, "it's your road." Obviously, this one day project could never have been achieved without the cooperation of the DOT.

The historic villages of Hamburg and Williamsville have demonstrated a strong desire to transition their state owned 'Main Streets' into traffic calming and pedestrian friendly places. The Congress for New Urbanism recognizes that revamping transportation codes is essential to taking steps to spurring long-term economic growth.

What would be the economic future of historic Prospect Hill and the surrounding community if we removed what was historically alien to this district (miles of concrete super highways, flyover ramps, and one million commercial vehicles crossing at the Peace Bridge) and restored Olmsted's vision of developing Front Park down to the edge of the waterfront? How would this community grow if the DOT worked harmoniously with public officials and residents to create a people-friendly infrastructure that focused on cultural tourism instead of millions of diesel trucks? How many historic communities across the country thrive when the air residents breathe is rank with diesel exhaust?

Why should Buffalo's historic Porter Avenue be used by the DOT as an induced traffic route for the Peace Bridge Plaza instead of an enhanced pedestrian friendly boulevard? Porter Avenue is home to a century of iconic West Side landmarks; Olmsted's Front Park, Columbus Park, LaSalle Park, a world class waterfront, West Side Rowing Club, Colonel Ward Pumping Station, the Erie Canal, The Peace Bridge, Connecticut Street Armory, D'Youville College, Holy Angels Church, Karpeles Museum, Grover Cleveland High School, Kleinhans Music Hall, the stately mansions on Richmond Avenue and North Street, the Fargo Estate neighborhood, Cottage District neighborhood, Armory Hill neighborhood, Kleinhans neighborhood, historic Allentown, hundreds of significant NRE properties circa 1860-1950, and the historic district of Prospect Hill recognized in 2008 by the National Trust for Historic Preservation and the Preservation League of New York State.

The historical importance of Porter Avenue deserves the same consideration as Hamburg and Williamsville's 'Main' Street. The DOT should not diminish the historic value of Porter Avenue with contrived boundaries, or controlling the Section 106 process to benefit their own agenda.

The DOT has consistently failed to provide West Side residents the same opportunities given to predominately white, affluent suburban communities like Hamburg and Williamsville. The history of Front Park is clearly treated differently than Delaware Park as previously described. Implementation of the DOT/FHWA Gateway Scoping process and Section 106 has been administered with a heavy hand, rigid guidelines and tightly imposed deadlines that limited the community's participation. We cannot even obtain important information about the *elevation of ramps* unless we file a Freedom of Information. How can we visualize how the elevation of a second Thruway flyover ramp will adversely impact our historic parks, waterfront view shed and other historic resources if we don't know the dimensions? How can we determine the changes in traffic pattern or volume levels during peak hours on the Thruway, Porter Avenue and adjacent city streets once Baird Drive is removed if the DOT only conducted traffic studies during the non-peak season? How can the DOT spend millions of tax payer dollars implementing more transportation infrastructure leading to the U.S. Peace Bridge plaza then claim that what happens on the U.S. Plaza is outside the scope of the Preliminary Assessment of findings? The community believes the DOT is imposing stricter standards in order to fast track the Gateway project

The historic Prospect Hill-Columbus Park community rejects any transportation project that urban experts label 'neighborhood killers' because they are a throwback to the mid-century practices of Robert Moses. History confirms that these super-highways harm the urban landscape because they create a climate of neighborhood disinvestment, and contribute to the overall demise of urban living.

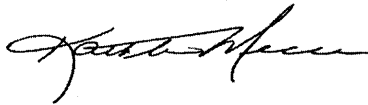
For decades the West Side district has been cherry picked by developers in the name of urban renewal. Our treasured historic resources have been replaced by numerous failed housing developments and transportation projects that have decimated entire 19<sup>th</sup> century neighborhoods (Foit Albert Overview of Architectural Development within the Peace Bridge Plaza, 2003). Today we are forced to live with these mistakes. The Prospect Hill view shed facing west captures Thruway flyover ramps instead of the magnificent sunset over Lake Erie. When sitting on the benches in Front Park that were strategically placed facing the Channel and Lake, one can only see thousands of cars and trucks on the 190, not the team of rowers from the West Side Rowing Club. The sound of church bells is drowned out by the relentless traffic noise from the 190 and millions of vehicles waiting to cross at the second busiest international border in the United States. The scent of fresh water from Lake Erie is overpowered by the choking stench of diesel. All of these elements are foreign to the 1802 settlement laid out by Peter Porter and Joseph Ellicott and the incomparable vision of Olmsted and Vaux sixty five years later.

The Preliminary Assessment Findings fails to take into account the degree of historical losses already suffered by this community. Furthermore, the Gateway project places the health and welfare of an impoverished community at a higher risk for developing asthma, cancer, heart disease and neurological diseases associated with exposure to higher volumes of diesel emission. Why should the health impact on innocent pregnant women, children and others be treated with less importance than our history?

The DOT and FHWA has a moral and ethical responsibility to the residents of Buffalo's West Side, to the City of Buffalo and to the WNY region to administer a transportation project that is fair and balanced.

The continued polarization between the DOT, FHWA and the West Side community is a vicious unproductive cycle that prevents us from moving forward. We should all be working together at every stage to identify the best solutions that will improve the historic integrity of a community already overburdened by heavy commercial traffic. It is the people who live here day in and day out, some for generations who know what is needed to improve their quality of life.

Sincerely,



Kathy Mecca, President  
Niagara Gateway Columbus Park Association  
**Serving the Prospect Hill-Columbus Park Historic District**  
716-984-4218  
[krmecca@yahoo.com](mailto:krmecca@yahoo.com)

Also submitted on behalf of members of Columbus Park Association and Consulting Party Members:

Joanne Certo  
Peter Joseph Certo  
Elizabeth Martina  
Carole D. Perla

Encl: [PPHD] Summary of the points elaborated in the complete Foit-Albert survey & History of the proposed Prospect Hill Historic District, F.K. Kowsky

Cc:

National Trust for Historic Preservation  
Advisory Council on Historic Preservation  
Preservation League of NYS  
State Historic Preservation Office of NYS  
Preservation Buffalo Niagara  
Campaign for Greater Buffalo  
City of Buffalo Common Council  
Clean Air Coalition of WNY  
Prospect Hill - Columbus Park Section 106 Consulting Party members  
Local media contacts

# Summary of the points elaborated in the complete Foit-Albert survey & History of the proposed Prospect Hill Historic District

F.K. Kowsky

SUNY Distinguished Professor Emeritus

## I. Period of Significance 1830s-1950s

There are several distinct historic periods in the development of this residential neighborhood, which began as part of the Village of Black Rock and a suburb of the City of Buffalo. In 1853, the area was annexed to the expanding city.

### Period 1: 1800-1830s.

British troops took present Niagara Street through the area to reach the Village of Buffalo which they burned in December 1813 as an action of the War of 1812. In 1825, the Erie Canal was opened and traversed the western edge of the area where Peter Porter, the promoter of Black Rock, had lived. By the mid 1830s, Porter had laid out the grid system of streets that exists today. The area was then part of the Village of Black Rock. Streets running parallel with the Niagara River were numbered from the river inland. The current Busti Avenue was originally Seventh Street.

### Period 2: 1840s-1860s:

Prospect Hill area becomes a desirable residential neighborhood.

Military Square and Market Square are created as public spaces surround by residential lots. These two spaces (the present Columbus Park and Prospect Park) are among the oldest public residential squares in Buffalo. In 1837, Col. MacKay built his so-called castle in the area. The most imposing Gothic Revival residence in the area, it indicated the attraction the area held for the rising class of home owners. In 1853, the neighborhood, part of Black Rock, was annexed to Buffalo.

### Period 3: late 1860s-1900s:

Inclusion in the Buffalo Park and Parkway System.

In 1870, Frederick Law Olmsted and Calvert Vaux designated the open land used informally for recreation as The Front (present Front Park) as one of the new parks they proposed for Buffalo and linked the neighborhood via Porter Avenue and The Bank with their Buffalo Park and Parkway System. This landmark scheme in the history of American urban planning promoted further residential development in the Prospect Hill area. A number of architect designed homes are built here during this period. The present Busti Avenue, like Nottingham Terrace facing the present Delaware Park, became one of the most desirable residential streets in Buffalo. This attractive residential streetscape remains largely intact

Period 4: 1900 to 1950s:

**An Italian-American residential Neighborhood**

The streets of the area continued to be filled in with middle class residential architecture. The area becomes identified as a solidly middle class Italian American neighborhood; a number of the residents commission homes by local architects until the mid-1950s.

**II. Prospect Hill As An Historic Residential Suburb.**

The area clearly meets the National Park Services criteria for Historic Residential Suburbs as laid out in the National Register Bulletin written by David L. Ames and Lind Flint McClelland, *Historic Residential Suburbs: Guidelines for Evaluation and Documentation for the National Register of Historic Places* (Washington: National Park Service, 2002). As listed on page 93, the Prospect Hill qualifies

**Under Criterion A:**

- Neighborhood reflects an important historic trend in the development of a locality or metropolitan area
- Neighborhood is associated with the heritage of social, racial, or ethnic groups important in the history of the locality or metropolitan area.

**Under Criterion C:**

- Collection of residential architecture is an important example of distinctive period[s] of construction, method of construction, or the work of one or more notable architects

**Under Criterion D**

- Neighborhoods likely to yield important information about vernacular house types, yard design, gardening practices, and patterns of domestic life.

August 30, 2013

NY Gateway Connections Improvement Project to the  
U.S. Peace Bridge Plaza  
New York State Department of Transportation, Design Office  
100 Seneca Street  
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NYSDOT Region 5  
Landscape Architecture/Environmental Unit  
100 Seneca Street  
Buffalo, NY 14203

RE: Public Comment on Section 106; NY Gateway Connections Improvement Project  
to the US Peace Bridge Plaza

Dear Ms. Wells-Brewer,

The following comments are submitted on behalf of the Preservation League of New York State as part. We request that they be included in the official record for the above project as part of the Section 106 review process.

The Preservation League of New York State is the statewide membership not-for-profit committed to the continued use of our state's incomparable cultural, historic and architectural resources. These include individual landmarks, neighborhoods, commercial centers, waterfronts, landscapes and the many other resources that express our shared heritage and enhance the quality of life and economic well being of the state, its citizens and visitors. We accomplish our work through public policy initiatives, grants in-aid, education and advocacy.

The Preservation League has been pleased to serve as a consulting party throughout the required state and federal review processes of the Peace Bridge Plaza project. We have demonstrated our concern about negative project impacts on the Prospect Hill-Columbus Park Neighborhood in a number of ways. Among them are:

- participating in person and by phone in the Section 106 review meetings and providing comments on impacts on historic resources;
- including the Prospect Hill-Columbus Park Neighborhood in our *Seven to Save Endangered Properties* list which puts in high relief the threats to historic resources and provides support for the eliminations or reduction of the negative impacts;
- awarding a *Preserve New York Grant* to further document the significance of the buildings, structures and landscapes in the project area; and
- working constructively with other stakeholder groups in ways that are consistent with our mission and area of expertise, historic preservation.

With this information as background, the Preservation League offers the following comments on the NY Gateway Connections Improvement Project:

- Despite efforts to mitigate deleterious impacts on the neighborhood, the Columbus Park area is no better off as a valued historic place in which to live and invest than at earlier stages of the overall Plaza project.
- The proposal for the NY Gateway Connections Project only adds to the cumulative negative impacts of the overall Peace Bridge Plaza project.
- Given its limited scope but its undeniable association with and physical connection to the overall Plaza project, the presentation of the NY Gateway Connections Improvement Project can only be viewed as an act of segmentation, thus in violation of the State Environmental Quality Review Act. This is most significant given the critical role that the New York State Department of Transportation plays in both this Connections project and in the overall Plaza Project.

We find that many of the comments offered by the Niagara Gateway Columbus Park Association regarding historic resources to be particularly compelling. We also make special note of the action taken by the U.S. Federal Highway Administration (FHWA) in January 2012, the issuance of a "Notice to Rescind", to be especially instructive. The FHWA terminated its role as lead agency in the environmental review process of the Buffalo-Fort Erie Public Bridge Authority Expansion Project (2007). Among its findings is the understanding that community concerns about "the profound impacts on its historic resources, environment, air quality and health and welfare of a designated community of environmental justice" made completing the review process (FEIS) not achievable. It seems that the same factors prevail in this proposed Gateway Connections project. At this point of the Section 106 process it is not known if a different conclusion will be reached. However, the Preservation League does see the FHWA's view of "profound impacts" on historic resources to be pertinent to this review as well.

In conclusion, the Preservation League finds that the area of Project Effects to be so narrowly drawn as to preclude a meaningful review of impacts on the neighborhood and its historic resources. This and the presentation of the NY Gateway Connections Improvement Project as a discrete undertaking while real-world experience and common sense show it to be a linked segment of the overall Peace Bridge Plaza project make the current Section 106 process challenging to respond to in a meaningful way and in good faith.

We at the Preservation League appreciate that people of good will and different professional and personal backgrounds can disagree and that it is imperative to resolve the impacts facing the Prospect Hill-Columbus Park neighborhood. Therefore, we look forward to continuing the consultations underway

Sincerely,

Tania Werbizky, Regional Director  
Preservation League of New York State.

Cc:

National Trust for Historic Preservation  
Advisory Council on Historic Preservation  
New York State Office of Parks, Recreations, and Historic Preservation  
Preservation Buffalo Niagara  
Campaign for Greater Buffalo  
Niagara Gateway Columbus Park Association

November 8, 2013

NYSDOT letter to Consulting Parties –  
Transmittal of No Adverse of Effects Finding

*(See Section 4 Agency Correspondence #40)*